

0394

BOX:

534

FOLDER:

4864

DESCRIPTION:

Paglinsky, Maier

DATE:

09/13/93



4864

Witnesses:

A. J. J. J. J.

De Lancy
De Lancy

Counsel,

De Lancy

Filed

189

Pleads,

De Lancy

THE PEOPLE

vs.

De Lancy

De Lancy

De Lancy

Grand Larceny, Second Degree.
[Sections 528, 529, Pennl Code.]

DE LANCEY NICOLL,

District Attorney.

Sept 25/93

A TRUE BILL,

De Lancy

Foreman.

Oct 14/93

Sept 22/93

0398

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Meyer Peginsky 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.

Meyer Peginsky

Question. How old are you?

Answer.

27 yrs.

Question. Where were you born?

Answer.

Russia

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

Answer.

75 Monroe St - 2 wks

Question. What is your business or profession?

Answer.

Carrier

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

Meyer Peginsky

Taken before me this

day of

188

Police Justice.

Police Court—3—District.

Affidavit—Larceny.

City and County } ss.
of New York,Charles Tannenbaum
of No. 75 Monroe Street, aged 61 years,
occupation Shoemakerbeing duly sworn,
deposes and says, that on the 3 day of September 1899 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:A gold chain and gold locket, together
of the value of Forty Dollars,\$40⁰⁰/₁₀₀

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 Meyer Reginsky (now here) from thefact, that on said deponent's defendant were
in deponent's room at the above-named premises
deponent placed said property in the pocket
of his trousers which was hanging on the
wall. That deponent then went to sleep and
when he awoke he found the defendant
to have left the room and said property
to be missing; that deponent afterwards found
the door of said room to be locked and
the key thereof was on the window sill
of a window leading to the room from the hall,
whereupon deponent charges defendant with having
stolen, taken and carried away said property,
and prays that he may be dealt with according to law

§12/40 11/13

Sworn to before me, this
day of September 1899

Police Justice.

0398

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, Sept 21 - 1893 John A. Ryan 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.

0394

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Police Court---

3 942 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Jannubum
Monroe
Meyer Pizinsky

2.....

3.....

4.....

Dated, Sept 4 - 1893

Ryan Magistrate.

Haggerty Officer.

7 Precinct.

Witnesses.....

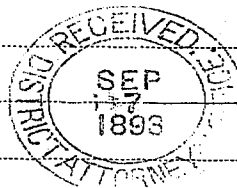
No. Street.

No. Street.

No. Street.

\$ 500 to answer G. S.

do 744



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

THE PEOPLE OF THE STATE OF NEW YORK

against

Maur Paglinsky

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

Maur Paglinsky

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

The said

Maur Paglinsky

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

*one chain of the value of
twenty dollars, and one lock
of the value of twenty dollars*

of the goods, chattels and personal property of one *Charles Tannenbaum*

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 Laurey Nicoll
District Attorney

040

BOX:

534

FOLDER:

4864

DESCRIPTION:

Parcell, Tobias

DATE:

09/18/93



4864

Witnesses:

Lynette Taylor

Counsel,

Filed

18 day of *Sept* 1893

Pleads

Induly

THE PEOPLE

18

Induly

Nobias Tarell

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

DE LANCEY NICOLL,

District Attorney,

Committee

Sept 27 1893 U.S.S.

A TRUE BILL.

William J. Lee

Foreman.

Part 3 January 1894

tried and jury disagreed
11 for crime

Part 10/3 January 23/94

Palmer & Co. Albany

Part 10/3 Jan 23/94

COURT OF GENERAL SESSIONS.

Part III.

-----x
The People of the State of New York

against

T o b i a s P a r c e l l .

: Before Honorable
: Frederick Smyth
: and a Jury.
:

-----x
Indictment filed September 18th, 1893.
Indicted for Assault in the First Degree.

New York, January 18th, 1894.

Appearances:

For the People, Assistant Distr ict
Attorney Stephen J. O'Hare.

For the Defendant, Mr. Robert H.
Racey.

HOMER W. GIBNEY, a witness for the People, sworn tes-
tified:

I am a physician duly admitted to practice in
this city; at present I am attached to the Roosevelt
Hospital in this city. On the ninth of August the com-
plainant was brought to the hospital in an ambulance.
I brought him there in the ambulance. I was call ed to
28th Street and Eighth Avenue and found the complainant
bleeding from a very extensive cut on the side of his
face. I observed that the left side of his cheek was
laid open pretty thoroughly and immediately put on a
bandage and put him in the ambulance. The wound bled
profusely. At the hospital I again dressed the wound
and arrested the hemmorrhage and put the man in bed.
About eighteen or twenty stitches were put in this wound.

It was an incised wound and in my opinion was made by a sharp cutting instrument. The wound ran from the ear almost to the houth. The man remained in the hospital over night and left the next afternoon; he afterwards returned to the hospital for treatment. If the wound was not properly attended to at once, the patient in my opinion, would die.

SYLVESTOR GAYNOR, a witness for the People, sworn testified:

I live at 341 West 26th Street. On the night of the ninth of August last I was on Eighth Avenue going home to my house. I have never seen this defendant before that night in my life. Between seven and eight o'clock I came down 8th Avenue between 28th and 29th Street. The defendant was behind me; he stepped on my heels; I thought it was accidentally done. He did the same thing again; I turned around and asked him wasn't the sidewalk big enough for him. I crossed from one side of the avenue to the other to see a man for whom I was working. The first thing I knew when I got to the other side of the street, this defendant was after me. He deliberately took a razor out of his pocket and tried to kill me. He struck me from behind and slashed my face open. The wound was from the corner of the mouth upwards. I fell on the ground covered with blood. A crowd gathered and the defendant was arrested by an officer; the officer brought him to me and I identified him at once as the man

who had stepped on my heels and afterwards cut me. An ambulance was summoned and I was taken to the Roosevelt Hospital. Several stitches were put in my face and I went to the hospital seven or eight times for treatment afterwards.

Cross examination:

I was alone at the time of this occurrence. The defendant stepped on my heels; it is not a fact that I knocked against him. He didn't go on the other side of the way, I went on the other side of the way and he followed me. I didn't strike this man. I didn't lay hands on him. I hadn't been drinking that night. I am positive the defendant was behind me when he cut me. I don't know whether he had the razor in his hand when he followed me across the street or not. The first I saw of the razor was when he pulled it out and put me. The defendant stepped twice on my heels before I made any remark to him. I went to the other side of the street to see an undertaker for whom I had been working. The defendant followed me over and immediately cut me. Three monutes after he cut me he was brought to me by an officer and identified by me. Immediately when I was cut I fell down.

WILLIAM HAUGH, a witness for the People, sworn testified:

I am an officer of the Municipal Police Force. On

the night of the ninth of August my post was on Eighth Avenue from 27th to 30th Street. At about seven o'clock on that evening my attention was attracted by a crowd gathered between 28th and 29th Street on Eighth Avenue. I saw the defendant run across Eighth Avenue and into a jewelry store; I followed him in there, thinking he was going to do something in the Jewelry store. I went in and brought him out. I asked him what was the matter, and he told me that four or five fellows were going to lick him. I says, "Where are they?" He looked around and he says, "They aint here". I says "What were they going to lick you for?" and he says, "Nothing" .. Just then a man came across the street and he says, "Hold that man, he is after cutting a man's head off". I says, "Where's the man that's cut"? He says, "I will bring him over in a minute". I went to the other side of the avenue and I saw Gaynor. I said to Gaynor, "Is this the man that cut you, and Gaynor said "Yes". I said to the defendant, "What did you do that for?" And he says, "He was going to hit me"; I says "Did you hit him", and he says, "No". I then asked him what he did it with; he pulled a razor out of his pocket. The roundsman came along then and I handed the prisoner and razor over to the roundsman. I sent for an ambulance and had the complainant taken to the Roosevelt Street Hospital. I didn't see anybody follow this defendant when he ran from the East to the West side of Eighth Avenue.

Cross examination:

The first sight I got of the defendant was going from the East to the West side of Eighth Avenue and into a jewelry store. At that time I didn't see the complainant. I didn't lay my eyes on the complainant until I brought the defendant to him. The defendant spoke pretty good English and understood all that I said.

D E F E N S E

TOBIAS PARCELL, the defendant, sworn testified:

I am seventeen years of age; am a barber by occupation. At present I am employed by a barber in 41st Street. I have been working for him a for about a year. I recollect the night of my arrest. I was going home from work between eighth and nine o'clock that night. I accidentally touched the complainant; he said "Don't walk on me". I says, "Excuse me please, I didn't intend walking on you". He says, "What do you want to lie for?" and he called me vile names and punched me. I went near the dry goods store thinking that he wanted me to fight, and I wanted to get away from him. He came and said, "If you don't walk ahead of me, I will do you up". I said, "I did not insult you, why don't you go about your business". He says, I would like to do you up". He was a little intoxicated. He had a bundle under one arm. I walked down quietly to 28th Street, when I got to 28th Street I crossed over to see a friend of mine who had a tailor

shop there. He followed me and said, "I am able to do you up". There were two other friends of his with him. I then pulled out the razor not meaning to cut him t but to scare him. He came against the razor. I broke away and went into a jewelry store because the crowd was after me. I put the razor in my pocket as I didn't know I had cut him. I took it out of my pocket and gave it to the officer. The reason I cut this man was, that a number of people came against me and it was the only way that I could defend myself. I told this same story to the officer at the time of my arrest. I did not know that I had b cut the complainant with the razor until I saw him cut.

Cross examination:

At the time of this cutting I worked in 41st Stree near Third Avenue. I was living at 160 8th Avenue. I had this razor in my pocket for the purpose of having it ground down in Houston Street. I first saw the complain any corner 31st Street and Eighth Avenue. I didn't step on his heels as he has testified but simply touched against him. I was walking slowly. The complainant had a bundle under his arm. There was a friend of mine nearby who saw all this occurrence. The razor was in myb pocket at the time of this difficulty and I took it out simply for the purpose of defending myself. I ran away because there were two of his friends about to attack me. The complainant raised his fist to strike me about a dozen times. After I had been followed for five blocks I drew this razor from my pocket. I had no intention whatever of injuring the man.

GEORGE W. HAMILTON, a witness for the defendant, sworn testified:

I live at Cold Spring L. I. I recollect the night of this assault. Between eight and nine o'clock I was going through 32nd Street; I saw two people stop. I believe they were looking into a window. I saw the defendant and the complainant stop and have a few words. I said, "You had better go on and not raise any trouble". I went as far as 28th Street. The complainant said, "Come on out in the road and I will give you a square fight". He had two fellows with him. I saw Tobias Parcell pull out his razor and defendahimself and cut Gaynor. One of the fellows there and Parcell ran into a jewelry store. A policeman ran in after him and placed hm him under arrest. The defendant cut the complainant in self defense. I saw him take the razor and draw it across the right cheek. I had known this defendant for a short time before, in his barber shop.

Cross examination:

I had been working in the city for a year previous to this occurrence. I had met the defendant at different times. I have been out of work for about eight years. The defendant telegraphed me tom Cold Springasking me to come here as a witness, I expect to be paid my expenses. The defendant held the razor in his right hand and drew it across Gaynor's face.

NICOLO DAMICO, a witness for the defendant, sworn, testified:

I keep a barber shop. I live in New York for twelve years. I have known defendant about six years. I know other people who know him; his character is good.

ANTONIO TROTTA, testified to the same effect.

The Jury failed to agree.

The prisoner afterwards pleaded Guilty to Assault in the Second Degree.

041

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Tobias Purcell 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. *Tobias Purcell*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *168 5th Avenue 2 months*

Question. What is your business or profession?

Answer. *Porter*

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*
Tobias Purcell

Taken before me this

day of

August 1884

Police Justice

04 12

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 *Fifteen* Hundred Dollars, _____ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail, _____ *M. H. Brady* _____ Police Justice.

Dated, *Aug 14* 189 _____

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.

0413

866

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Sylvester G. Gainer
Driver Parcel

2
3
4

Offense

Dated, *August 12* 189*3*

Gray Magistrate.

Haw Officer.

20 Precinct.

Witnesses *D. Gibney*

No. *Rodwell* Street.

No. Street.

No. Street.

\$ *1500* to answer *H.S.*

Bailed

\$1500 to answer

24

BAILED, *Aug 31.*

No. 1, by *Carmela Guidetti*

Residence *23 & 25 Marion Street.*

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0414

Police Court—2 District.

City and County { ss.:
of New York,

of No. 341 W 26th Street, aged 31 years,

occupation Driver being duly sworn

deposes and says, that on 9th day of August 1887 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Devise Purcell (sum here)

who did cut deep marks on the
face and neck with a Razor.

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

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

Sworn to before me, this 12 day
of August 1887 }

J. G. Gagnier

Wm. J. Brady Police Justice.

0419

CITY AND COUNTY } ss:
OF NEW YORK,

POLICE COURT,

1900
DISTRICT.

William Hance.

of No. W. Hance Street, aged years,
 occupation office being duly sworn, deposes and says,
 that on the 9th day of August 1899
 at the City of New York, in the County of New York, he arrested

Devic Purcell (nowhere
 charged with a ^{felonious} assault on the person
 of Sylvester Gayner. Dependent says
 that said Complainant is now confined
 at his home from the effect of injuries
 received. and deponent prays that
 the defendant be held to answer the
 result of such injuries

William Hance

Sworn to before me, this

of

Aug

1893

10

day

Police Justice.

04 18

Police Court, 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

375-

vs.

Erice Parcell

AFFIDAVIT.

affidavit

Dated, August 10 1893

Grady Magistrate.

Hunt Officer.

W. J. Hunt

Witness,

Disposition,

4 Aug. 12, 10 C. 2.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Tobias Parcell

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

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

The said

Tobias Parcell
late of the City of New York, in the County of New York aforesaid, on the *ninth* day of *August*, in the year of our Lord one thousand eight hundred and ninety-*three*, with force and arms, at the City and County aforesaid, in and upon the body of one *Sylvester Gaynor* in the peace of the said People then and there being, feloniously did make an assault, and *him* the said *Sylvester Gaynor* with a certain *razor*

which the said

Tobias Parcell
in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and wound,

with intent

him the said *Sylvester Gaynor* 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

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

The said

Tobias Parcell
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 *Sylvester Gaynor* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said *Sylvester Gaynor* with a certain *razor*

which the said

Tobias Parcell
in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Laurence McCall,
District Attorney

04 18

BOX:

534

FOLDER:

4864

DESCRIPTION:

Parkins, William

DATE:

09/22/93



4864

0419

Witnesses:

Mr. Chadden

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

23

1492 Prospect vs. H. H. H. H.

Partender

& New York single.

William Parkins

Exhibit in the Third Degree.

[Section 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

DE LANCEY NICOLL,

District Attorney.

Part II. Sept. 28 1893.

A TRUE BILL.

Edw. Bloomington

Foreman.

No 177
Part 2 - Sept. 28 1893
Pleads Burg. 3rd Degree
Elmira Ref.

Police Court— District.

City and County } ss.:
of New York,of No. 164 E 12 St Street, aged 47 years,
occupation nick dealer being duly sworndeposes and says, that the premises No. 154 E. 12 St Street, 12 Wardin the City and County aforesaid the said being a one story framebuilding and which was occupied by deponent as a store and officeand in which there was at the time a human being, by namewere BURGLARIOUSLY entered by means of forcibly unlocking the
door leading from the street in said
premises and entering said premises
with the intent to commit a crime.on the 16th day of September 1893 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:Good and lawful money to the amount
and value of ten dollars & twelve two cent
postage stamps. together of the value of ten
& 24/100 dollars.the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen and carried away by
William Parker. (now here)

for the reasons following, to wit:

that at the hour of 7 O'clock
P.M. said date said premises were
securely locked and closed for the
night and said property was
left therein.
deponent is informed by Thomas Madden
that he found this defendant in said
premises at about the hour of 7.30 O'clock
P.M. said date. deponent further says that

after he was informed by the said
 Thomas Madden that this defendant
 had been in said premises. Defendant
 examined said premises and discovered
 that the door in said premises leading from
 the store into the office was broken and that
 the desk in the office was broken open and
 discovered that said property had been
 taken from said premises.
 Wherefore defendant charges this defendant
 with unlawfully entering said premises
 as aforesaid and stealing said property
 therefrom.

Sworn & before me } Henry Duckworth L.
 this 17th day of Sept 1893

G. E. Symms
 Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
 committed, and that there is sufficient cause to believe the within named
 guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
 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 188
 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 he to be discharged.
 Dated 188
 Police Justice.

Police Court, District.

THE PEOPLE, &c.,
 on the complaint of

Offence—BURGLARY.

vs.

1
2
3
4

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

0422

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

Thomas Madden
aged 29 years, occupation Stabberman of No. 154 E 123rd

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

Sworn to before me, this

day of

17 }
Sept }
3 } 189

Thos. J. Madden

CE. S. S. S. S.
Police Justice.

0423

Sec. 198-200.

51

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

William Parker

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. *William Parker.*

Question. How old are you?

Answer. *23 years old*

Question. Where were you born?

Answer. *New York*

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

Answer. *1492 Prospect Place Bklyn 1 1/2 yrs*

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
William Parker

Taken before me this

day of

1892

John J. [Signature]

Police Justice.

0424

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.....

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

Dated *Sept 19* 189*3* *Thos. J. ...* 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 offence within mentioned. I order h to be discharged.

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

0429

\$1500 Ex Sept 19/93 2 P.M.

Police Court---^{G 234} District. ¹⁰⁰²

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Orchard
164 E. 122
William Parker

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

2 _____
3 _____
4 _____

Offence *Drugging*

Dated *Sept 17* 189 *3*

Simms Magistrate.

John M. Cate Officer.

29 Precinct.

Witness *Herb Madden*

No. *154 E. 123* Street.

John M. Cate

No. *29* Precinct Street.

No. _____ Street.

\$ *1500* to answer *JS*

Ch

No 277

RECEIVED SEP 12 1893 DISTRICT ATTORNEY

The Magistrate presiding
in my absence will hear
and determine this case
and take bail if necessary
C. E. Simms Jr
Police Judge

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 Perkins

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

William Perkins

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

The said

William Perkins

late of the 12th Ward of the City of New York, in the County of New York, aforesaid, on the
sixteenth day of September, in the year of our Lord one
thousand eight hundred and ninety-three, in the night time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the store of
one

Henry Duchard

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

SECOND COUNT—

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

William Perkins

of the CRIME OF *Petit* LARCENY

committed as follows:

The said

William Perkins

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the *night* time of said day, with force and arms,

the sum of ten dollars in money, lawful money of the United States of America, and of the value of ten dollars, and twelve United States postage stamps of the denomination and value of two cents each

of the goods, chattels and personal property of one

Henry Duchard

in the

store

of the said

Henry Duchard

there situate, then and there being found, in the *store* aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Lancey Nicoll
District Attorney

0428

BOX:

534

FOLDER:

4864

DESCRIPTION:

Patterson, John

DATE:

09/13/93



4864

0429

Witnesses:

Helen Merritt
Jan Hackett.

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

John Patterson

W. J. Sullivan

Grand Juror, First Degree,
(From the Person.)
[Sections 838, 850, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. J. Sullivan
Sept 14/93

Foreman.

Reads G. L. 2deg
ch 134

1 of 3 rings
Sept 18/93. B-18

Police Court 2 District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Heller Merritt

of No. 41 South Wash. Square Street, aged 24 years,
occupation Housekeeper being duly sworn,
deposes and says, that on the 9 day of September 1899 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 PM time, the following property, viz:

One pocket book containing about
six dollars \$ 6

the property of Deponent

and that this deponent
has a probable cause to ^{charge} ~~suspect~~ ^{charge} and does ~~suspect~~ that the said property was feloni-
ously taken, stolen and carried away by John Patterson

(now dead) Deponent had the
said property in her hand when she
was passing through Washington Place
at the corner of New York Street when
the aforesaid grabbed the said
property from deponent's hand and
attempted to run off with when he
was arrested by Policemen Morlon
of the 9th Precinct

Mrs H. Merritt

Sworn to before me, this

day

of September 1899

Police Justice.

043

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

John Patterson 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. *John Patterson*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *118 Sullivan St., 6 months*

Question. What is your business or profession?

Answer. *Writer*

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*
John Patterson

Taken before me this

day of

Sept 10 1910

Police Justice

0432

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

John Peterson
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 *Sept 19* 18*93* *Amelia* 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.

0431

S. P. Chase
100 Duane St

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Ch 134

Police Court--- *9* District. *956*

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Heber Hewitt
41 S. Washington Sq.

John Patterson

2 _____

3 _____

4 _____

Office of Henry J. Burr

Dated *Sept 10* 18*97*

Koch Magistrate.

Morton Officer.

9 Precinct.

Witnesses *James Hewitt*

No. *S. Curran* Street.

_____ Street.

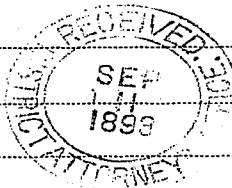
No. _____ Street.

_____ Street.

No. _____ Street.

\$ *100* to answer *G. S.*

to Com *G. S.*



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Patterson

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

John Patterson
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

John Patterson
late of the City of New York, in the County of New York aforesaid, on the *ninth*
day of *September*, in the year of our Lord one thousand eight hundred and
ninety-*three*, in the right-time of the said day, at the City and County aforesaid,
with force and arms,

the sum of six dollars
in money, lawful money of
the United States of America,
and of the value of six dollars
one pocketbook of the value of fifty cents

of the goods, chattels and personal property of one
on the person of the said *Helen Merritt*
then and there being found, from the person of the said *Helen Merritt*
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.

Helen Merritt
Helen Merritt
Helen Merritt
He Laurey Nicoll,
District Attorney.

0435

BOX:

534

FOLDER:

4864

DESCRIPTION:

Peel, Joseph

DATE:

09/07/93



4864

0436

Bail fixed at \$500
by consent
Sept 11/93 RBC
Witnesses:

Set down for trial Sept 28.93 RBC
RBC

Counsel,
Filed, day of Sept 1893
Pleads

THE PEOPLE

vs.

B

Joseph Paul
Oct 23/93

Tried & convicted
Penalty - RBC
De LANCEY NICOLL
District Attorney

Sept 15. 1893 V.M.D

A TRUE BILL.

E. W. Bloomfield
Foreman.

No 32
Sept 20. 1893 V.M.D
38

INJURY TO PROPERTY.
[Section 854, Penal Code.]

42/93

THE PEOPLE,

COURT OF GENERAL SESSIONS, PART 1.

vs.

BEFORE JUDGE MARTINE.

JOSEPH PEEL.

Wednesday, October 18, 1893.

Indicted for Injury to Property.

A Jury was empannelled and sworn.

BECKY FINEBERG, sworn and examined, through the interpreter, testified:

Where do you live? 7 Forsyth street, in this city. In the month of August of this year, where did you live? No. 9 Allen street. Do you know the defendant, Joseph Peel? Yes, I know him. How long did you know him before Saturday, the 19th of August, when the horses were found dead? A few months before; they were peddling together. Who were peddling together? My husband and another man. Your husband's name is Isaac Fineberg? Yes, I know. Who is the other man? Max Cooper. Did you see this defendant on the evening before the horses were found dead? Yes, I saw him? Where did you see him? In 36 Chrystie street. In what part of that house? In the hall. Was any one else present at the time? It was noon-time, about 12 o'clock; he and I were alone, nobody else present. Did you have any talk with him then, did he say anything to you? He said, "I will do in a way that you will not have horses to work with." Do you know Max and Rose Zimmerman? Yes. Did you see them on that day, that Friday? No, I did not see them.

CROSS EXAMINATION:

You are the wife of one of the former partners of this man; are you not? Yes. Where did you have the conversation

with the defendant on Friday? In 36 Chrystie street; he was there. What day of the month was that, do you know? No, I do not know. Did you know at that time that this man had been a partner of your husband's? I knew it. Did you ever speak to him before that? No, he never had spoken to me before that; he had no business to speak to me. Did he ever call on you at your house or on your husband? Whenever they peddled together, he used to come to our house sometimes. What time of day was it that you saw him in 36 Chrystie street? 12 o'clock. Did he call you first by name, or how did you start the conversation? He was very angry, and then he says, "I will do so that you will not have any horses to work with." What did you say? I did not say anything. Did you tell your husband about it? Yes, I told my man, but he thought he will not do it. Did he call at your house after that, before these horses were poisoned; from the time of the conversation on the Friday, up to the time the horses were poisoned, did you see him or have any conversation with him? He did not call after that Friday. Did you see him at any time after that? No, I did not see him. Did he say what he was going to kill the horses with? He did not say he will kill them, or how he will kill them; he said, "I will do so that you will not have with what to carry on your business." Where was this conversation held, in your rooms or in the hallway? In the hall. You mean to tell this Court and Jury that this man came to that place, knowing that you were the wife of one of the partners, and told you that he was going to poison these horses, at 36 Chrystie street? He knew me, he saw me before; he knew that I am the wife of Feinberg. Up to that

Friday that he saw you at 36 Chrystie street, he was then on good terms with your husband; was he not? He was not on good terms with my husband. Were they in business together, were they peddling together? They were no partners no more at that time. How did you come to meet this man on that day? When he saw me I was living in 36 Chrystie street. Do you know where he was living at that time? He lived in 34 Chrystie street, the next house; I saw him in the hall. Were you coming in or going out? I came back from the grocery store; and, as I was entering the hall on my way up, he spoke to me. What was the first thing he said to you? He was very angry, and he said, "I will do so that you will not have no horses with which to carry on your business." He didn't call me by name; he immediately spoke out that sentence. Did he say anything that makes you say he was angry? I knew that they had dissolved partnership; my husband told me they were partners no more; he was very angry about my husband; he didn't say to me that he was angry, but I judged that he was. When he said that what did you say? I went away; I didn't say anything. What did he do? I didn't look after him; I just passed on my way up; he remained; I didn't look if he went away or not. Are you on good terms with the defendant? I had no quarrel with him; I had nothing against him. Are you friendly disposed to him now? I have nothing against him. Weren't you confined last week with twins? Yes. When did you get out of bed? Last Saturday, eight days ago. Were you not instructed by your doctor to remain indoors? I had no doctor. You had a midwife? I had to come; I was told to come to the trial. Did you know anything about your husband's partnership business? I didn't know that; I have never had anything to do with the

business; I don't know what accounts they had.

MAX ZIMMERMAN, sworn and examined, testified:

Where do you live? At present, 8 Allen street, in this city. Do you know the defendant, Peel? He was in my house; I knew him for two years. Do you know Ike Feinberg? Yes. Do you remember Monday, the 14th of August, before the horses were found dead? I know that Monday. Did you see the defendant and Ike Feinberg on the evening of that Monday? No, I did not. Do you know that Peel and Feinberg were in business as peddlars together? I knew that. Did you know when they dissolved partnership? No; when the horses were poisoned, then I heard it. Don't you remember hearing Feinberg say something to Peel about the business? No. Are you sure you did not hear any such conversation? I didn't hear it; I work the whole week, and in the evening I come home, and they were at my house; Max Cooper and Joe Peel were in my house; Feinberg was not in my house; they behaved very well, and they didn't say anything. Did they say anything about the business? I don't remember. Can you remember what they said to each other that night? No, I do not. Do you remember anything being said about the partnership being dissolved? I don't know anything. When did you forget? I don't recollect; they didn't speak to me. But you heard what they said; didn't you? I didn't hear anything. Did Peel say anything to you the next day? He says to me the next day that it is necessary to sell the horses. See if you can remember the exact words that he used? I don't know they were partners; they all said that the horses have to be sold. Did Peel give you any message to take to the other partner? He said it would be more suitable to sell the

horses. Did he say what would happen if they did not sell the horses? I don't know that. Where were you when Peel told you this? In my room. What time of day was it? About 8 o'clock in the evening. Who else was there? Nobody else but I and him. Try to remember, as nearly as you can, what it was that he told you about the advisability of selling the horses? Did he say they had better sell the horses? I don't know; he didn't say to me whom should sell the horses. What did he say to you; tell us all that you can remember of it? Before, they said the horses had to be sold, because the business does not work well, and he said also it is necessary to sell the horses. Did he tell you to say that to them? No. Did he tell you what would happen if the horses were not sold? I don't know; not that I remember; I won't say. You don't know whether he said that, or you don't remember? I don't know; I don't remember; my child was very sick, and I don't remember and I don't care for anything. Did he say anything to you in that conversation about what would happen on Saturday? No, he didn't mention Saturday. When was the next time that Peel said anything to you about the horses? No more after that conversation. Do you remember hearing him say anything on Friday, the day before the horses died? No, I worked the whole day; I am not home; I don't know; I didn't hear. Has any one talked to you about this case since you saw me in my office, when you were here before; you remember me; don't you? I don't remember. (By the Court:) Do you know him, Mr. Weeks? I don't know, I never saw him before. (By District Attorney) Do you remember coming up in the court-room above? I was upstairs. Don't you remember coming down from that court-room and coming over to my office in this building? I don't remember.

Do you remember hearing Peel say anything about the horses on Friday, in the evening? No. Do you swear positively that you did not go from the court-room above over to my office, on the 22nd of September? I don't recollect the occasion. Do you say that you were not there? All I can swear is that I don't recollect; I don't know it. Do you swear that, since that day, nobody has spoken to you about this case; since the day you spoke to me? No one talked with me; I have no business to talk with any one.

CROSS EXAMINATION:

How did you come to court here to-day; did you get a paper? I got a subpoena. Do you know from whom you received the subpoena; whether it was on the side of the defendant or on the side of the People's case? I don't know who sent it. You know that you were in the Essex Market Police Court? Yes, I remember that. You remember signing a paper; do you? I don't recollect; I don't know how to write. Did you make that mark, if you can remember (paper shown)? Yes, I made that stroke. Did you know what that paper was at the time? No, I don't recollect if I made the cross; I don't recollect anything. But you recollect being in the Police Court the day that this defendant was arrested? Of course; they gave me a pen, and I might have made a mark, because I don't know how to write. Isn't it a fact that somebody asked you to be a witness in this case, although you knew nothing about it? No. You knew that you were swearing to a statement that you made in the Police Court, that on a certain day in August, 1893, you, Barnett, Feinberg and Simon Gueskin, that you heard Peel make threats against the property of Feinberg, and that he was going to do away with those two horses that time; you knew what you were saying; didn't

you? I didn't hear that. Is it not a fact also that you promised at that time when you went into the Police Court, you were promised a certain amount to become a witness and you did accept the proposition but were not paid the money? I don't recollect; I don't know anything; nobody gave me money. It is because you didn't get the money that was promised you refused to be a witness for the People in whose favor you were at the time Peel was arrested? Nobody promised to give me any money.

BY DISTRICT ATTORNEY: You speak a little English; don't you? I get confused in English. Try to speak in English to me (the witness was heretofore examined through the interpreter) How long have you been in the country? Five or six years. What business have you been in since you have been here? I am a tailor. Do you remember having a talk with Officers McDonald, Evans and McCarthy; you know them, don't you? Yes. Did you have a talk with them about this case? I don't know; I can't speak English; what for I talk with them? It is not my business. Didn't you speak to them in English? Of course, they can't speak Jewish; I speak English the way I am able to speak English. When was it that you talked to them? I don't recollect; they came to my house also. How soon after the horses died? I don't recollect. Where did you live at that time? In 34 Chrystie street. Where did Joseph Peel live then? He lived with me. Where do you live now? No. 8 Allen street. Where does Joseph Peel live now? I don't know; until he was arrested, he lived with me. After he was arrested, he got out on bail; didn't he? I know that he got out on bail. Didn't he go back to live with you? No. Have you seen him since? Of course, he came

0444

up to me, because he has his things belonging to him with me yet. Do you remember telling officers Evans and McCarthy that, on the Friday before the horses died, Peel told you that he was going to poison them? I don't recollect that I said that to the policeman. Will you say you did not? I do not say; I don't recollect; I don't know. Which is the truth; did Peel say it, or don't you remember? I don't recollect.

BY COUNSEL: You remember, don't you, that this man was with you about two years, as a boarder? Yes. He boarded with you two years steady? Yes. And during the time that he was with you, did you find out anything against him or against his character which would lead you to believe that he was anything other than a decent, respectable man? He is a very fine man; he conducts himself very nicely. Knowing that his character was good up to the time that he was arrested, why did you go to the Police Court and assist in swearing out a warrant against this man, when you knew nothing about the case at all? A. I was very much frightened; a policeman came, and I was confused, and they said I should go and be a witness, and I really don't know what happened.

Mr. Weeks: Counsel having proven the affidavit of the witness in the Police Court, and not having offered it in evidence, I now offer it in evidence. (It was marked People's Exhibit 1.)

ROSA ZIMMERMAN, sworn and examined, testified:

Where do you live? 8 Allen street. Last August you were living at 34 Chrystie street, and Joseph Peel used to live there with you? Yes. How long had he been living with you? Two years. Do you remember when Cooper and Peel were

in partne rship as peddlers? Yes. Do you remember when they dissolved partnership? I don't know when that happened. Do you reme mber when the horses died? I don't recollect when it was; it was on a Saturday, I know, that the horses died. During the week before that Saturday did Peel say anything about those horses? He said that the people should sell the horses, because he wants money. Was that all that he said? I don't know any more. What was it that he said that to you? The same week. Early in the week? I don't recollect the date; it was the same week. You were sick that week; weren't you? The baby had the measles and was very sick, but I was not sick. Do you remember the Friday night before the horses died? Yes. Were you up very often during that night? Yes, I was up all night; I couldn't sleep; my baby was sick. Did you see Joseph Peel that night? He didn't sleep in our place that night, because the baby was sick, and we went for the doctor. On that Friday had he said anything to you about the horses? On Friday he didn't say anything; he was not in the house; he was out in the street the whole day, because the baby was sick and I didn't see him; I don't know what he did that day; he was a man of very good character, as long as he lived with me. Do you rememberr going to Essex Market Police Court? Yes. Do you remember what you told there? I was very much frightened, and my baby was sick; I don't recollect what I said; the detective noticed that I was very much frightened and confused, and he told me to go home with my baby. Did you tell the detective anything that you had heard Peel say? I don't recollect if I said something to him. Whatever you told the detective, was the truth; was it not? I said to the detective that he said that the peo-

ple should sell the horses. And what would happen to them, if they did not sell them? No, I didn't say about that. Didn't you say that, if he didn't sell the horses before Friday, that he would not have any horses to sell? I don't recollect; I don't know. Don't you remember whether or not Peel said that? He said that Wednesday is the horse market and he will go with his partners there, and they shall sell the horses, and he wants to earn \$5. by it. Then I said, "Who will pay you this \$5.?" He says, "The man who buys the horses, he will give me \$5." Is that all that you can remember of what he said? I don't remember any more.

CROSS EXAMINATION:

You got a subpoena to come to court? Yes, a notice.

MAX COOPER, sworn and examined, testified:

Where do you live? I live at 3 Allen street. In August of this year where were you living? I have been living in 35 Chrystie street, the same street and same house with Peel. What business were you in? I went in business with Ike Feinberg the first time. When did you go into business with Ike Feinberg? That was four months ago. Was Joseph Peel in the business? No; and I bought two horses. How much did you pay for them? I paid for one \$140., and for the other one \$60. Where did you keep those horses? 27 Monroe street; I have been keeping them in Forsyth street. In August where did you keep them? I was keeping them in 27 Monroe street. Where was the stable there; down in the basement? Yes. What part of the basement did you keep them in? The first stall was taken by somebody else, and the next stall my two horses were in; they were locked up separate. How were they separated from the other stalls?

All the stalls were closed. When did you first meet Joseph Peel? I found him with Max Zimmerman. When was it that you first met him with Max Zimmerman? That was about four months ago. After that did Peel go into business with you? Yes. When did he go into business with Feinberg? That is about four months ago. When he went in, did he pay for any part of the horses, or did you have any interest in the horses? No. How long did you remain in business together, you three? I think it was about five or six weeks; I could not remember. One Monday we were talking about the partnership business, and about the profits, and I complained about his keeping all the money; we lost money all the time. Feinberg said something about Peel selling some stuff. On this Monday before the horses died, did you have any talk with Peel? No, I had no talk with him. Did Feinberg say anything about Peel? Not that I know of. Were you present when Feinberg said anything to Peel about giving up the business? Yes. When was that? That Monday, after 12 o'clock. What did Feinberg say to Peel, and what did he say to Feinberg? They got to go on the dock, and I told him not to go with him any more. Did you hear I tell him that? Yes; he said, "I don't want you any more; I can attend to the business myself;" Peel told Feinberg, "Don't you be too sassy; I will find you with the horse in any place; you are not going to have any of my horses; I will poison the horses." What did Feinberg say to that? Feinberg didn't say anything; he said to me, "That is all right about the horses; if you poison these horses, we will buy more horses." Feinberg went away on the dock. Then Peel came to Max Zimmerman, and Peel told him again the same thing. What did Peel say to you? He said to me, "You had better sell the

horses;" he came to me and said, "If you don't sell the horses, you are not going to have any more horses; don't you care for like Feinberg; you had better sell the horses; if you do not sell the horses, you are not going to have any more horses." What were those horses worth when they died? That first horse that I bought, she was worth a large amount of money; she was worth about \$200; everybody told me she was worth over \$200. The other horse you paid \$60 for, what was that worth when it died? I couldn't tell you what that was worth; that was a quick horse. Was it worth any more than when you bought it? I couldn't tell you; he was poor when I bought him; but when he died, he was in better shape.

CROSS EXAMINATION:

I paid \$140 for the first horse, but I paid only \$60. for the second, and the wagon was included. How long were you in partnership with Feinberg before you met Peel? I could not tell you, for, sure; I think it was three or four weeks. Did you have any horses at that time? Yes, I got one. Have you got that horse to-day? I think not. When Peel came into partnership, how many horses did you have? One; the \$140 horse. How much money did Peel give you? He gave me nothing. He didn't give \$100? No, he didn't give me a cent. Did your partner, Feinberg? Feinberg didn't give me any money. Did Peel give Feinberg any money to go into this partnership business? I think not; I couldn't tell you. Did you at any time divide any of the money you got out of the partnership business? I gave him the profit. Why did you give him money? He was working just for the profit. You gave him one-third of the profit, just because he worked with you; is that it? Yes. The business was

falling off, was it not, up to the time that you took Peel in as a partner; it was not as good as it was before? It was, I think, a little better. You took Peel in because it was a little better? I mean, by the time Peel left me, it was a little better. Is it not a fact that you bought that other horse with part of the money Peel gave you? No. Business was bad when you got this \$140 horse? It was not bad. Where did you get the money to buy the horse? I saved it up. You were doing pretty well with Feinberg as a partner; you were making money? Not much. Then why did you take Peel in; why were you willing, when you were not making a comfortable living at that time, to reduce some of the profit you had, as you claim? I took Peel in because Max Zimmerman told me he was in that business a long time ago, and he knew how to buy and sell that stuff; he said, "He is a good workman, and you can take him, and he can tell you everything to buy; that is why I took him. You were supposed, as you admitted a moment ago, to give Peel one-third of the profits that came out every week from this business; is that it? Yes; sometimes it was a week, and sometimes it was two weeks. Did you take off from the profits which Peel was supposed to receive any money and claim that that money was due you because he was a partner? No. Did you lay any money aside, three or four dollars a week, of your own money, for that contingent fund, or did Feinberg? No. You did not deduct any money? No. You want this Court and Jury to understand that that man worked for you merely on the profits? Yes. He had no interest in the stock, horse or wagon? No. How much, on an average, could you clear a week; profit? Sometimes \$5. and sometimes \$6. and sometimes \$10.

1 mean how much money was taken in? There was five for every one. That would be from \$15 to \$30 a week, you mean, you would make? Yes; the time Peel went in with me he did not have any money, and I was willing to do it, because they told me he is a good worker, and he could buy everything. You found him a good business-man? Yes, he was a good worker. At the time you were introduced to Peel by Zimmerman, did Zimmerman speak highly of him and give him a good character; did he say he was a good business-man, and honest? He said he was a good worker. Who spoke first about dissolving the partnership; did Peel want to break up the partnership? No. Who did? Ike Feinberg. What did Feinberg say? He said to me he didn't want him to go on the dock; he would go and attend to the business himself; Peel said, "Don't be too sassy; you are not going to have any more horses; I will find you with the horses in any place, and I will poison the horses." Did you say anything to Peel after you heard him say that? I didn't speak to him. You were the owner of the horses? Yes. Peel told you to your face that he was going to poison them? To poison the horses. You said nothing? No, I didn't say anything; I think he went away that time. While you had that conversation with Feinberg, was anything said to Peel? Feinberg said if he poisons the horses I will go and buy more horses. Did you not keep a watch on the stable after you heard that? No. Are you on friendly terms with Peel to-day? He fixed my things; I couldn't be any friends any more. Did you ever hear anything against Peel up to the time you claim this trouble took place; did you ever hear anything against his character? I heard, after he poisoned the horses, some-

thing about him; his character was not good. Zimmerman told me his character was the best, and he told me he was a good worker, and he knows every place to buy stuff; he said to me, "You are green in this country; you do not know, and you could not make anything."

BY DISTRICT ATTORNEY: You were asked if you kept a watch on your stable; did you make any change at your stable after you heard Peel say this? It was Friday night; we went to feed the horses in the stable; I went with Ike Feinberg and another boy; it was between 7 and 8 o'clock. I was scared all the time about the horses, but Rosa Zimmerman told me--- What kind of a lock did you have; did you ever lock the door that separated your two stalls from the others? Yes. Did you change that lock? I did not change the lock; there was a chain on that lock, but I did not change the lock.

MAX ZIMMERMAN, recalled by the District Attorney:
Do you remember hearing this defendant say anything to Max Cooper in your rooms, about this case? Yes. This was after Peel was arrested, was it not, after the horses were dead? After Peel was arrested, I didn't hear anything. Did you bring any message from Peel to Cooper? He was in my place many a time, and talked with me; I remember that he said to me something and said that I should say it to Cooper. When was that? Last week. What was the message? Max Cooper said to me, "I want to go out in the country, because I can't make a living here." Was Peel there? He was not. What did Peel tell you to tell Cooper? Peel said to me that I shall say to Cooper that if Cooper wants to go out in the country, he will get \$25. Do you remember stating

yesterday that Peel didn't say a word to you since the time he was arrested? I was sitting here, and I was very much frightened, and I do not recollect what I said; I never was in a court before and I was very much distracted and don't know what I said. Will you swear to that; that you were never in a court before? Only on this trial; never before I had anything to do with any court, only in this case. This is the only court-room you were in in your life? In Essex Market also. You remember being in Essex Market? Yes. Your mind seems to be clear to-day; see if you cannot recollect signing this paper (paper shown)? I only made a mark. Why did you say yesterday that you did not know whether you made that mark or not? I was frightened at that time also, and I didn't know what you say. You are not frightened to-day; are you? I know that I have to tell the truth, and I will tell the truth now. The day when you made this paper on this paper, did you know what that paper was? I knew what that paper was. Did they read that paper to you, or did you read it yourself? I said something, and then it was written down, and then I made that mark. Did you hear Max Cooper's affidavit read to you? I don't recollect. Did you see Max Cooper in Essex Market Court that day? Yes, he was with me. Did you see him sign any paper? I don't recollect if he signed any paper. Was any paper read to Cooper while you were there? I swear I do not recollect; I do not recollect what I said in the court even. Did you swear in the court that you had heard read the affidavit of Max Cooper? I only swear what I said; I swear to my own declaration. Are you willing to swear to the Court and Jury that the affidavit of Max Cooper, made that day in

the Police Court, is true? I didn't hear what Max Cooper said; I only swear to what I said. Do you remember that on the 18th day of August, 1893, that you heard Joseph Peel make statements and threats, in your presence, and in the presence of Barnett, Feinberg and Simon Dushkind, against the property, the horses? I remember that when he said it in my place. What day was that? I don't recollect the day; it was a week before the horses died. Will you swear that it was the 18th day of August? I don't recollect the day. Can you tell what day it was when that statement was made? The same week when the horses died. The horses died on Saturday? I can't tell if it was Tuesday or Wednesday when he said that. What did he say? He said to me that I shall say to Max Cooper that he shall sell his horses on Saturday; and if he doesn't sell them in that time, he will not have any horses.

CROSS EXAMINATION:

Why didn't you say the same thing yesterday? I am a tailor, and I don't want to be mixed up, and I don't want to be an enemy of any one, and I was very much frightened yesterday. You remember stating, yesterday, that Peel said the people had to sell the horse, didn't you; that much you did not forget, and you were not afraid to say? No, that party you forgot, "that he will not have any horses?" Yesterday I was very much frightened, and I did not recollect; you will have to excuse me, because people insist on me that I should not say it. (By the Court:) Was that the reason you did not say it yesterday? I was afraid. Of whom were you afraid? Every one was talking to me; "You say so and so"--people, strangers that I did not know, interfered with me. (By coun-

sel:) Peel was in your house as a boarder; was he not? Yes. Was he a good man while he was with you? He was a very fine man, as long as he lived with me. You were locked up last night, were you not, after you left this court-room? In the hall, outside, they took me into a room. Who took you there? I do not know. It was an officer of the court; was it not? I don't know these people; I don't know who it was. Who was in the room? I and my children. Did you see the District Attorney there? I didn't see him there. Did you speak to anybody last night about this case? No; when I left for home, I didn't talk with no one; I was sick yesterday, because I didn't eat the whole day, and I was very much frightened; to-day, even, I haven't ate anything yet. How long were you in that little room there? Until my wife came back out of court. There was some strange man told you to go into that room; is not that so? Yes, a stranger. Did he tell you why he wanted you? Because my baby was sick, and he said, "Go into that room, with your children."

DISTRICT ATTORNEY: After the Court adjourned, he was brought to my office; I have no objection to its coming out.

By Counsel: Who took you to the District Attorney's office, to Mr. Weeks' office? Some one called me, and I went in. You talked with the District Attorney, didn't you? Yes. Why didn't you say that a moment ago? We all were there; every one talked there. Were you not in the room alone with the District Attorney? No; all the witnesses were there. Did you not talk with the District Attorney about what you had said on the witness-stand yesterday? Every one said what he had to say, and I said what I had to say also. Did the District Attorney, after you left this courtroom and went

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into his room, ask you why you had said so and so yesterday and when in the Essex Market you had made different statements? Yes; he told me to tell the truth. That is a;; he told you; is that true? Yes. He did not say he would lock you up if you did not tell the truth? No, he did not say that. How long were you speaking to the District Attorney? I don't know how long it took him to write out the subpoenas for every one of us; I had not a watch, and I can't tell; I don't know if it took five or fifteen minutes or half an hour my talking with the District Attorney was about two or three minutes; three words he only had to ask me. Then you come into court now and change all that you said yesterday on account of those three words that he said to you? I commenced to think what I know; I had to tell the truth, and so I am telling what I know. Didn't you know yesterday that you were brought into court to tell the truth? I told you yesterday that I was very much frightened; people were urging me and talking to me, and they said, "What a witness says in Essex Market is of no account."

By the Court: Who said that to you? I can't tell ; so many came and talked to me; once, one man came, and another time another man came, and they mixed me up; I can't tell who. Will you swear now that you did not tell Mr. Weeks, the District Attorney, last night, in his office, that Mr. Pell told you to offer Cooper \$25.? I did not say that. Did you say anything about \$25. to the District Attorney last night? They commenced to question me, and then I said it. Who questioned you? The District Attorney; he said I shall tell the truth, and shall tell what was the matter with the \$25. How long did it take you to finish that conversation with the District Attorney? I can't tell; I didn't measure the

time. Had you anything else to say to the District Attorney, that you can remember now? I said what I knew; I do not remember any more. You do not remember the fact that the District Attorney was going to land you in jail for perjury, if you didn't tell the truth; you didn't say that; did you? He did not say so, but he said, "If you do not tell the truth, you will be in trouble." From that time on, you began to tell the truth? Yes. Everything you said yesterday was false, and you knew it to be false and untrue? I did not say anything false yesterday; I was very much confused, but what I said was not false. You went home last night, I presume? Yes. And did not speak to anybody about the case since you left the District Attorney's office? No one came to my house; I was so mixed up that I did not even eat my supper last night. Was your wife home? Yes. Your wife was a witness on the stand yesterday; wasn't she? Yes. She remained home all the evening, did she? She did not go anywhere; we went straight home together. You did not say a word to your wife about what you had said on the stand, or what she said on the stand, from the time you left the court yesterday afternoon until this morning; did you? No, we did not have to talk about anything; my wife was present when I was told I have to tell the truth; we did not have to talk any more about it. What time did you reach home last night? I do not know; it was dark; when I went on the street car, it was not dark yet. What time did you go to bed? About half-past 7 o'clock. You want to tell this Court and jury that you did not say a word to your wife about the case, nor about what you testified to yesterday, nor that which you were to testify to this morning? I said to her, "Well, the truth has to be told; else we will get into trouble;" that

was all what I said. Did you speak to your wife about what you were going to say yesterday, at any time before the case was called? No, I did not agree with my wife what I will say here, about the testimony I gave yesterday; I didn't say anything. Did you hear your wife testify yesterday? No, I did not hear it; I was with my children, outside. Did you ever go to the public-school, or any other school in this country? No. You did not tell your wife the words, "I don't know, I don't remember," did you, because your wife uttered those same words yesterday, the same as you did? I had nothing to talk with my wife about this case, and I do not recollect; we have other interests to talk about. Did you talk with your wife anything about this case before you went on the stand yesterday? Why should I talk to my wife? I have nothing to say to my wife; I do not benefit anything in this case. Did you ever send word to Peel at any time that you wanted to see him about this \$25. that you speak of? I did not send any one to tell him that I wanted to see him, and I did not go to see him; he came in my house, and Cooper was also in the house. Who started the conversation, if there was any, about money matters? Max Cooper first said that he wanted ~~us~~ to go in the country; he can't make a living here; Max Cooper then said that he has no money, and that he is broke; then I said to Cooper, "Peel is coming to see me from time to time; and, if you want me to, I will ask him if he can't contribute \$25. for you, because you have no money at all." He refused to take it.

MAX COOPER, recalled by the District Attorney, testified: After your partnership was dissolved with Peel, did you change the lock; did you put a new lock on the door leading into

the stalls where your horses were kept? Yes, I put on another lock. Did you buy that lock yourself? I bought it. Who had a key to it? My partner got a key. Anybody else? No.

By counsel: That is all that was on the door, was it not, a new lock? Yes; there is a chain on the door, and the lock was in the chain. It was one of those ordinary locks, with the chain attached to it? A padlock first, and a chain; you could not lock the door without the chain.

ISAAC FELNBERG, sworn and examined, testified as follows: Where do you live? At present, 7 Forsyth street, in this city. In August of this year, were you in partnership with Cooper & Peel, peddlers? Yes. Do you remember the Saturday that the horses died? Yes. On the Monday before that, did you have any words with Peel? Yes. What words did you have with him? We were in partnership then with Cooper, I and Peel, and I saw that money was missing; then I said to Peel, "I do not want you for a partner;" then I told him that we have no money, that we are losing money, "and I don't want you in partnership." We separated and we settled accounts, and he went away. I want to know what happened on Monday? On Monday I went to the dock, and he intended to go to the dock too; I said, "I don't want you; I will drive to the dock all alone." Then he said to me, "I will find you with the horses in any place that you go to." I left him, and drove to the dock. Did you have any other talk with him about the horses? No, nothing.

CROSS EXAMINATION:

How long are you in this country? Five years. You speak English; don't you? I know some English, but not enough.

How long were Cooper and Peel partners with you? We were partners about four or five weeks. Did you know Peel before he came in as a partner? I know him; he was in business before; I am green in the business, and I took him as a partner. How many horses did your firm have when Peel came in as a partner? I had one horse I bought for \$140. That belonged to you and Cooper? Yes. From the time Peel came in as a partner, the business became so good that you had to buy another horse; is that so? Business was not very good; it picked up, and we bought another horse. How much money did Peel give you when he first went in as a partner? Not a cent; I was green in the business. How long were you a partner of Cooper before Peel came in? I was a partner about two weeks, I think. You took Peel in because he was a good man? He was a good man. How much a week did Peel get? I did not pay him by the week; he did not work by the week; I paid him from the profits. Were any articles of agreement drawn up? No agreement. What was the first payment that you made to Peel; the first money that you ever gave him? I did not give him any money. He was working for love; is that it? He was working for profit. During the time that Peel was a partner of these men, were there any profits at all in the business? Very small profits. How much profit did you get out of the business in those weeks? I did not get any profit; last week, I had to pay out of my pocket; I lost money. Did Peel get any? Yes, I had to pay the share of the profits. And the expenses that went on for hay, straw, feed and oats, Peel gave you his share; didn't he? Yes; we counted everything. Did you talk to Mr. Cooper about this matter at all? What shall we talk about it for? You said nothing to Cooper about what

you were going to say on the witness-stand, and Cooper said nothing to you? I was the owner of the business; nobody has to tell me what I have to say here; I know what I have to say. When was this said, that you had the dissolution of partnership and you agreed to put him out of the business? It was Friday evening. How long ago? I can't tell how many weeks ago; I think it is about two months ago, but I am not sure. That was the time that you say Peel made some remark to you about following you with the horses; is that it? It was not at the same time when he said that. When was that? When I was about to drive to the dock, then he said that he would find me wherever I go. What time was that, how long ago? The Monday before the horses died. Did you hear Mr. Cooper use the same words on the witness-stand, "I will find you with the horses, any place?" My wife was here, but I was not here -- yesterday, I didn't come to court. On this day when you claimed, a moment ago, that Peel had stated to you that he would find you with the horses, at any place, was anybody else present? My brother was standing close by; he heard it. And did Mr. Cooper hear it, to your knowledge? When I quarreled with Peel, Cooper was present. At the time when Cooper came there, you were just about getting on the wagon? Yes; I was sitting on the wagon and he was standing by it, and I refused to let him sit on the wagon; so we had words, and Cooper came down whilst I was quarreling with him.

LOUIS LEVINE, sworn and examined, testified as follows:
Where do you live? 9 Monroe street. Do you know the stable at 27 Monroe street, down in the basement? Yes, I know it. On the night of Friday, the 18th of August, the

night before the horses were found dying there, did you go into the stable? Yes. What time of night? About half-past 8 or a quarter to 9. With whom did you go to the stable? With Dushkind. For whom does Dushkind drive? For Mr. Jacobs. Where did you meet Dushkind? Down at 9 Monroe street. You walked from 9 Monroe street to 27 with him? Yes. When you got to the stable, who went in first; dushkind or yourself? Dushkind went in first. Was the door open? I do not know. Was there any light in there? I think so; yes, there was a light. When you came into the stable, you say Dushkind went in first; was there any one else in there? Yes, three men were there. Was this defendant, Peel, one of them? Yes. How long have you known Peel? I do not know him at all. Had you ever seen him before that night? No, I never seen him. Where was he when you first saw him in the stable that night? He was behind the wooden grating. What was he doing when you first saw him? When I saw him he was carrying a pail of water. Where did he take the pail of water from? From the sink to the horses. The horses in which stall? The horses that were standing away behind there. What did you see him do next? Nothing else. Did you see him put the pail down? Yes, he rinsed out the pail. Did you stay there until Dushkind left? Yes. Did you see the other men go out of the stable? They went out at last. Who went out first; you and Dushkind or the other two men? Me and Dushkind went out. Whom did you leave in there when you went out? Three men. Was Peel one of them? Yes. Did you leave Peel and the other two in there when you went out? Yes.

CROSS EXAMINATION:

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How old are you? About fifteen years old. Where do you

live? 9 Monroe street. What time of night was this? About half-past 8 or a quarter to 9. What were you doing at 27? Dushkind called me along with him; he said he was afraid to go down to the cellar himself to feed the horses, and he called me along. Did you go in the stable? Yes, I went down in the stable. How big a stable is it? It is not very big. There are a number of stalls there? Yes. Is there a wide passage to go in there, entering the door to the rear of the stable? About so wide (illustrating). Pretty dark in the back; isn't it? Yes. This light that you speak of was right near the front when you went in? Dushkind lit it; it was about five feet away from the door; I was standing near Mr. Jacobs' horses. Did you see those three men when you first went in, or did you see them after? I seen them after. How long had you been in there before you saw them? About a minute or two minutes. You never saw Peel before; did you? No, I never seen him. Do you know Mr. Cooper, or do you know the other man, his partner? No. You know Dushkind, though, don't you? Yes. Did Dushkind introduce you to Cooper? No. Did you go down to the Essex Market Court? No. Dushkind knew that you had seen those men, didn't he? Yes. Nobody asked you to go down to Essex Market Court? No. How did you come to be a witness in this case? There is a boy of the name of Saxe; he said he was down in 22nd street, and said that I was down at the stable at that time; so they called me up there. Who called you up? They said I should come; the man from 22nd street.

District Attorney: From the Society for the Prevention of Cruelty to Animals.

By Counsel: Did you have a talk with that man in 22nd street? I spoke to him. Did you go before the Grand Jury; were you

up stairs here? Yes, I was up stairs. Did you see Dush-kind make a light in the stable? Yes, he did, in the stable; he had a match with him. Was the stable dark up to the time you saw him light it? Yes. How close were you to those three men, whoever they were, at any time that you and they were in the stable, about? About five feet. Did they speak to you? No. Did they pass you? Yes, they passed me. Were they in there after you left? Yes, they were in there. You are sure this man is one of the three men who were there? Yes. Did you speak to anybody else about what you were going to say here? No. Did you speak to anybody else about what you were going to say in court, besides that officer up in 22nd street? No. Did anybody promise you anything for coming into this court this morning? No; even if they would promise me, I would not take it. Were you ever a witness in a case before? No, I was never a witness. You know what it is to tell a lie? Yes. You know what would happen to you, if you told a lie? I know. Let us hear it? Down in Sing Sing. You are willing to swear that, with the quick look you had at these three men that night, that this man, the defendant, who is now sitting here is one of them? Yes; he had a black mustache. Did you hear these men talk together? No. They did not say anything while you were there? I heard them talking, but I did not hear what they said. What did you see the other two men do, if anything? They didn't do anything. You say you saw the defendant go to the sink? Yes. What did he do when he got there? He took water in a pail. How far is the sink from the place he took the pail to? About eight feet away. Where did he go to with the pail? To the two horses, to give them a drink. How near were those horses to Jacob's horses; were

they in the next stall? About three or four stalls away. Did you know whose horses the other two horses were? No, I did not. Had you ever been in that stable before? Yes. In what stalls were those horses that got the drink? The stalls were apart from the other stables. Were those two horses put in there in one place? Yes. About how long were you looking at those three men? About five minutes. Do you recollect seeing anything else done, except going to the sink and drawing water and taking it to the horses? No. You heard voices, but you did not hear what was spoken; is that right? Yes. Did the defendant carry this bucket to the sink? Yes. It was the night before the horses died? Yes. The stalls that you say the horses were in, of course each one is separated from the other; is that it? Yes. There is a narrow passage; now, the stall which you were attending to, with Dushkind, was two or three feet away from the door, and the place where these two horses were was a distance of about three feet from the other end of that stall is that right? Yes; those two horses were about three or four feet away; as far as I could stretch (illustrating). Didn't you say it was the other end of the stable? Yes, the other end of the stable; so far as I could stretch. You say that you were standing three feet from the entrance to the door? Yes; afterward, I went further up. When they carried the water, you stood still? Yes. Did you see which stall they carried the water to, did you watch that? Yes. And you saw the horses from where you were standing? No; I went a little further up and saw the horses. So that you got within five feet of them? Yes. Did these men see you? Yes. They went to the horses, and you were standing there with Dushkind in the stable, and the other two men did noth-

ing, you say, merely stood by and looked on? Yes. Did you hear Dushkind speak to these men? No, I did not. Did you see Dushkind near Peel? No; I didn't see Dushkind near him. Did this light that you say Dushkind lit in the stable throw a sufficiently strong light so that you could see the two horses in the rear, and see who went in the stall? Yes. Where was the water given; did the man take the pail and go into the stall, or did he put it in from the front? I did not see that; I saw him have the pail, and go to the horses. Is the stable so constructed that you feed the horses and give them water from the front, or have you to go in behind them? You have to go in behind them. Is it not a fact that there was one light in the stable near the door? Yes. And all the distance away back to the stable there was no other light? No; the light that was there was a gas-light, coming out from the side of the wall; it was not behind the horses.

SIMON DUSHKIND, sworn and examined through the interpreter, testified as follows:

How long have you been in this country? About ten weeks. On the evening of Friday, the 18th of August, were you in the employ of Samuel Jacobs? Yes. What is Jacob's business? Glazier. Does Mr. Jacobs keep horses? Yes. Where did he stable the horses? In the black-smith's place, Mr. McDonald's, 27 Monroe street. How many stalls are in there? About ten or twelve. How many horses did your employer, Jacobs, keep there? One horse. Mr. Jacobs's stall was the third from the door. Do you know Max Cooper? I do not know any of them. Did you know that he had any horses there? I used to see the people who kept horses there,

but I am not acquainted with them. Did you ever see Max Cooper there? Yes, I saw him. Do you know where his horses were kept; what part of the stable? I do not know where he kept his horses. Do you know that, in the part part of the stable, there were two stalls that were partitioned off with a slat partition? Yes. Did you go there on Friday evening with Louis Levine? Yes, and another man came with us, too; I don't know his name, he lives around in the street. When you got to the stable that night, was the door open or closed? It was only closed, not locked. When you opened the door, was there any light in the stable? It was dark. Did you make a light? I lit a gas light, not far from my horse. When you lit that, did you see any one else in the stable? One man stood just opposite my horse; he just approached my horse. Did you see anybody else there? Two others, that were carrying water there; the two others were in the rear of the stable. What sort of a looking man was that who was near your horse? He had blue trousers and a black hat; he was a stout man, with a dark mustache. Did he say anything to you? He asked me whose horse is this, and I said Mr. Jacobs'. Did you see that man again at Essex Market Court? I recognized him in Essex Market Court. Is this the man (the defendant)? Yes. Did you hear him say anything to the other two men who were in there? He was talking in English to the others; I couldn't understand but one word; he said, "Harro up."

CROSS EXAMINATION:

How many men were in that stable? That man (the defendant) and two others, in the rear. Could you tell how the other two men looked; can you describe them? They were not as tall; they were short. The man that you say came near

your horse and asked whose horse that was, was that the defendant? Yes, that is the man. Where were the other two men while he was talking to you? They were in the rear of the stable, where the other horses were. Have you seen those men since? I saw them carrying water, but, later on, I did not see them any more. Whom did you see carrying water? One man carried water, a very short man. The defendant did not carry water, did he? No, this man was standing talking to me. The little boy who was on the stand a minute ago, do you know him? He came with me to the stable. He was with you all the time that you were in the stable; was he? All the time that I was in the stable, that boy was with me. Did you understand what that little boy said on the witness-stand? I heard him speak here, but I could not understand. The little boy, Louis Levine, testified that he saw Peel carry a pail of water; and you say that you saw one of the other two men carry it; which is correct? The defendant was standing talking to me, and the other man carried the pail of water. What was Louis Levine doing with you? He came with me because there are a great many loafers there, and I am a green-horn yet, and they always threw stones at me; so the little boy speaks English, and he came along with me to protect me. Did the little boy do any work there; did he help you? He only stood there; he didn't do anything; I went into the stable to get oats, and he stood near the door. Did he stand there all the time? He went around, to and fro, but the most of the time he was near the horse. You say there was another boy with you? The other boy also remained all the time in the stable. The little boy, Louis Levine, testifies that only you and he were there; were there three men in the place at the time

when he was there, that is, you and the two boys? When I went to the stable, the two boys came along with me, and when I got there, I saw three men there. Did any one ask you any questions while you were there? Nothing else but he asked me whose horse this is. Did they ask you where Cooper's horse was? They did not have much to say to me; they did not ask me that. Do you know Mr. Cooper? I am not acquainted with any of them. Did you ever see him in the stable? Yes, I saw them in the stable. Did you ever speak to Cooper? I never talked to them. Did you ever speak to his partner, Feinberg? I have nothing to say to them; I did not speak to them. Did you speak to anybody about this case? No, nothing. Did you speak to the District Attorney about it? Yes, but to nobody else. You have been in the court-house all day; have you not? Since 11 o'clock, I came here. Did you see Mr. Cooper and Mr. Feinberg there? I do not know the people by name. Do you know any of the witnesses in this case who appear here for the People? I do not know anybody else but that boy who came with me to the stable. Did you speak to him about what you were going to say? No. How did you come to go to the Police Court; didn't the policeman ask you what you knew about it? Yes, he asked me. You spoke to the officer who made the arrest; didn't you? Yes; I spoke to the policeman, in a general way. What did you say to that policeman (pointing to Officer Evans)? I talked to him. Did you speak to any policeman but him? No. You went down to the Police Court; did you? Yes. The Clerk asked you certain questions; did he not? Besides the policeman, no one asked me. Did you sign any paper in the Police Court? I don't know how to write. Did you make a little mark, a cross? Yes, I made

that. If I would show you that paper now, would you recognize it? I would recognize it. Did you know what you signed, when you signed that paper? I told what I knew, and it was written down. Did he read this affidavit to you afterwards? Yes, a man did, some clerk, who was standing behind the desk; he sat at a table, writing. Did he read it in English? In German. This man, who sat on a chair, read the affidavit to you in German; is that right? There was a man near me, and he was translating it, what the man said, and he told me in German. What time in the night was that that you went to the stable with this boy, Levine? 10 or half-past 10 o'clock. You are sure it was that late? Yes, it was so late; when I left the stable, it was half-past 10 o'clock. This boy who was with you, Levine, testified that it was about 8:30 or a quarter to 9 o'clock, that you went into the stable with him; that is about an hour and a quarter difference between your time and the time he says; which is correct? It was later. You are sure that you saw these other two men carrying water in the stable? Only one carried water; not two men. But that was not the man who was talking to you? No. And this is the man, you claim, who spoke to you (pointing to the defendant)? Yes; he carried the water to the rear of the stable, and that is all I saw. All this time the man was carrying water, the defendant was talking to you? Yes. Who left the stable first; you, or the defendant, or the other two men, as you claim? The two who were in the rear left, and this man, the defendant, went to the rear, and when I left the stable he was in the rear of the stable yet. Did you lock the stable? No. Did you see the other two men when they went out? Yes; two left before I left. What kind of looking men were they? Two

young people; one was shaved; the other one did not have a beard either; the boys left before I left; Levine went away by himself, so I had to go home alone. While Levine was in the stable, was that the time that this man, the defendant, was talking to you? The boy was there when he questioned me about the horse. While the other men were carrying water, the boy was standing there? Yes; he was in the stable when they carried the water. From where the boy was standing, could he see who was carrying the water? Yes, he could see the other one. Did you keep your eye on the boy, Louis, all the time you were in there? No; the boys were standing there, and I was feeding the horse. You did not watch this man, the defendant, all the time; did you? No, I was not watching, not looking at him all the time; he was taking my oats and feeding the horse.

EDWARD S. BREEDER, sworn and examined, testified:

You are a veterinary surgeon? Yes. A graduate of what college? Columbia; I think it was the year '71 or '72; I am not positive. Since that time you have been engaged in the practice of veterinary medicine? Yes; I would like to make a correction; I graduated in '81. Where is your office? 47 Allen street. On the 20th of August, Sunday, of this year, were you called to the stable 27 Monroe street? Yes. When were you first called to that stable? I believe it was Saturday night. Were you called to attend any animals that were sick there? Yes. Where did you find them? I found both of the horses in the basement; in two loose stalls. Did you examine them? Yes. In what condition did you find them? One was dead, and the other was partly standing in the stall; just quietly standing there, not eat-

ing or doing anything else. Did you make any examination at that time of either horse? Yes, both of them. What examination did you make, and what was the result of your examination? At that time they told me that they suspected poisoning, and I examined the horses; I examined both of the horses, and told them I could not give them any positive answer in regard in poisoning; the horse that was alive, he did not seem----- Who was there at the time? I believe it was Mr. Cooper, and his partner, Mr. Feinberg; I believe it was Mr. Feinberg came to me. Did you then form any opinion as to the cause of the death of the horse that was dead? No. Did you then form any opinion as to the cause of the illness of the horse that was ill? No. Were there any symptoms that you discovered at that time that would account for the illness? No, nothing that I would give any definite answer or opinion on. When did you see either of those animals again? The next day; the date I do not recollect, I believe it was Sunday; the horse died on the 19th. It was the day after the horse died, was it not, Doctor? I saw both the horses the day the horse died; that is, in the morning, and the evening of that same day I saw the horse again; that is when the second one died. The second one died that evening? Yes. On that evening, did you form any opinion as to the cause of death? Yes, it was on Sunday. What were the indications which led you to form that opinion? From the actions of the horse; I noticed that the horse was suffering from a pain, and secondly that he would make spasmodic actions to inhale his air, to get breath and the tissues around the chest, the skin, etc., would draw very tightly up, and then expand; he was doing his utmost to gain air. From his symptoms, I decided it was poisoning.

You determined then, in your opinion the cause of death was poisoning? Yes. On the following day, Sunday, did you make an autopsy? Yes, on the one that was dead first. State what you found? The horse was in a loose stall, in the rear of the basement. I turned him up on his back, with his legs up, and I opened him and made an examination of the stomach. I took the fluid contents of the stomach and put them in a bottle, and I made an examination of the tissues of the stomach and found a process of sloughing there on the mucus membrane of the stomach. The fluid contents of the stomach, you say, were placed in a bottle? Yes. Was it a bottle that you had prepared? I asked Mr. McDonald, some of the bosses standing there, to get me a clean bottle; I saw that it was washed and cleaned before I used it. Did you preserve it carefully? Yes. When did you part with it? I gave it to Dr. Lederle, up in his office in Bleecker street. Was it in the same condition, as far as any foreign substance was concerned, as when you took it from the stomach of the horse? Yes, precisely. Did you examine any of the other viscera? Yes, I examined the liver. In what condition did you find that? That was in a healthy condition, as far as I could see; all the tissues seemed to be healthy. The body seemed to be normal, other than the inflammation and sloughing that you have described? There was very little inflammation in the arsenical poisoning that I suspected at the time. Did your autopsy change your opinion as to the cause of death? I had no opinion in the morning, but after I had made the examination of the dead animal and seen the symptoms exhibited by the living animal, I came to the conclusion that the horses were poisoned with arsenic; my opinion is that the horse was poisoned with arsenic.

CROSS EXAMINATION:

Have you had cases of this sort before, of arsenical poisoning of horses? Yes, of horses. Did you find, in the other examination that you made, any of the same traces of arsenical poisoning that you did in this one? As far as the sloughing was concerned, yes; but in the other case, they did not know who the party was, and the thing went through, and I made no examination; that is, a chemical examination, an analysis of the contents, and the thing went through. Explain to the Court and Jury what you mean by sloughing? Sloughing is the breaking down of the tissue; it is a species of decomposition of the tissue -- just a formation of what we call pus cells. You know, as a veterinary surgeon, what the effect of arsenic is, upon the body of a horse, do you, from experience? We very rarely come across poisoning cases; we do not study those matters up very well. You have had an experience of two cases? This one, and one prior. And that is all the experience you have had, as far as poisoning is concerned? Yes. Did you make that a special study while at college? No. You took that in as one of your medical studies? Yes. In arsenical poisoning what effect has that poison upon the extremities of a horse? It bloats the horse very much. Did you see these horses, doctor, while they were alive? One of them. That same horse died later on, did it? Later on that evening. You made an examination of that horse while alive? Yes. In examining that horse, while you were there did you notice anything extraordinary about him, which would lead you to believe that that horse was suffering from some kind of poison, be it arsenical or any other? At the beginning, no. How long were you with that horse? About twenty or twenty-

five minutes. Did you notice that the horse was desirous of drinking or of kicking about or his thirst was somewhat excessive; anything of that sort? No. Do you know that is one of the effects of arsenic? I believe it is. And that you could not find in that horse? No; I made no attempts to give him a drink. Did he have any water near him? No, but five feet away or so. How about the stomach of the horse, doctor, does it become cramped up? Yes, that is one of the symptoms, cramps. How can you tell, doctor, whether or no the horse has the cramps? He will show it quick enough, by his actions. Kicking about? Yes. Did you give the horse any medicine for the cramps? I did. Did you stop it? No. Did you try anything else on him besides that first dose of medicine? Yes, we tried a second. How about that? The horse died before it could act, before it had any effect, before the first dose I gave it had any effect. I did not believe the horse was poisoned at first; I thought the other horse had died of colic; that was my opinion at the time, although I would not express that opinion. But when I seen the other horse suffering the way he did, I came to the conclusion there was some thing else, and then I prescribed this cathartic. Is there a disease called cholera which horses are subject to? Yes. Do you know whether the lesion resemble any of those traces that you can find in arsenical poisoning? No, I do not believe horses would get cholera. Have you ever read an authority called "Wood on Toxicology?" Yes. Is Wood an authority on that subject? Yes. Would you place great reliance on Wood's statement that he makes, in some cases, that the lesions resemble cholera? No, I would not. Not even if Wood said so? No. Is the effect on a horse the same as that on a human being? I

presume it would be. I mean of arsenical poisoning? I presume it would be. Would it take a larger dose to affect a horse, and kill him, than a human being? Most assuredly. Have you heard of arsenical pills? Yes. They are taken by human beings; aren't they? I believe they are, by women. That also comes in liquid, does it? Yes. How much of that liquid, doctor, from your experience in that particular drug, do you think it would take to kill a horse, of arsenical liquid? No one can form any opinion on that; one horse will take, say ten ounces of Fowler's solution, and another horse five ounces -- five ounces will kill; all poisonous drugs act about the same way. Fowler's solution is a liquid form of arsenic? Yes. Five grains of Fowler's solution would kill a horse? Five ounces, 20 grains. That would kill some horses? Not all horses; some horses. Could you tell about how many ounces was given to this horse, from your examination? No; it may have been Fowler's solution which was given him; powdered arsenic might have been given him. What difference is there between Fowler's solution and another solution, if you know, that makes you think that Fowler's is superior to any other? Fowler's solution is a prepared solution; that was made by a man named Fowler, and it is recognized by the pharmacopoeia as the solution; we do not have any other solution that I know of, unless a man makes up his own solution. Did you take notice of the spinal cord of that horse, doctor? No. You did not think, in your opinion, that was necessary to examine that to find arsenical poisoning? No. Don't you know that one of the effects of arsenic on a horse is the inflammation of the spinal-cord? That would not be necessary, as long as I had the fluid contents of the stomach; arsenic was there, and it would have

stayed there if it was ten years. There is such a thing as taking arsenic for certain diseases, given in small quantities? Certainly. Isn't it a fact, doctor, that that arsenic, if taken in small degrees, day by day or week after week, becomes what is ordinarily called cumulative? It can be done, but I doubt it. Did you ever hear of a horse or human being suffering from what is called chronic arsenical poisoning? I never did. You do not claim to be a doctor of human beings; do you? No; I gave horses for months along Fowler's solution, and never had any bad result from it. Have you heard of a case wherein there have been bad results? No; I have heard of a case where horses have been given arsenic in large doses at a time, with the arsenical poisoning showed itself later on. What do you give a horse arsenic for? For the heaves. What do you mean by "heaves?" We call it emphysema; there is a hole in the lung. The lung is composed of little cavities, and, the horse being put to very hard work, having a heavy load, starts quick, he is liable to break one or more or a hundred of these little globes, and they will form one; naturally, that leaves a cavity in the lung. The horse can inspire air very nicely, but when it comes to expiration he makes a double effort, so that he makes a noise; a heavy horse is a horse that blows very hard; I am a heaver myself. You do not take arsenic? No. You heave without arsenic? Yes. A horse can also heave without arsenic? Yes. Doctor, tell the Court and Jury, if you know, as an expert, what parts of the body does arsenic generally affect? It affects the whole part; it goes into every tissue. Does it affect any part of the body more particularly than another? That I would not say. How about the leg? It affects all parts of the leg, but not the legs

any more than any other part of the body. Does arsenical poisoning also bring about vomiting? Horses can vomit. When horses vomit, it is death? They can vomit, but when they do vomit, they die. Just before death? They may live for hours after. In cases of colic, for instance, a horse's stomach is liable to rupture, and the minute it ruptures, the horse vomits; that is the symptom of rupture of the stomach, the vomiting of the horse. You say you made an examination of that stomach, doctor? Yes. Is it in court? No. You did not bring it? I did not bring it; I did not take it; it went with the horse. It went to Barren Island? Yes. Can you get it? No; I didn't think that was necessary; if any poison existed, it would be in the fluid contents, and so I put them in a bottle. You looked at the fluid contents? Yes, I examined the liver. You made an examination of the vital organs? Yes. And took out the fluid from the stomach or a portion of the stomach? Yes, that is all; I took nothing else. Is there any drug beside arsenic which would leave that liquid part with the same color as that which you took from the body of the horse? I do not know of any drug that will clear the fluid of the stomach, unless it is belladonna. What color was the fluid you took from the horse? A redish color. Is there any other drug which a person might give to a horse which would give the redish tinge? Certainly; take belladonna or opium or any of those remedies. Was the fluid normal color? Yes, a normal color. So that I understand you to testify, if arsenic had been taken, it would have no effect upon the color? No, it would not. Different kinds of food might color it? Yes; if he had taken grass, it would have made it green. If he had taken tomatoes, it would have been another color? Yes.

DISTRICT ATTORNEY: You found, in the case of this horse that was still alive, the swelling of the limbs? No. You found cramps? I found cramps later on. The first medicine that you gave to the horse, did it contain any iron? No. Did the second? No.

BY COUNSEL: How long, doctor, would it take for a dose of arsenic, an exceptionally large dose, to kill a horse? That would depend upon the size of the dose. That would depend upon the size of the dose given? Certainly; and it would also depend on how quick the arsenic was absorbed. From what you know, Doctor, what is the longest case on record which a horse lived after they have been given poison? I could not tell you that -- very rarely we have poisoning cases in horses. People do not poison horses, as a usual thing? No, not in this country. Have you been in any other country where they did? I take it from the medical statistics, in the old country, Russia, they frequently poison. If a man is charged with poisoning a horse with arsenic, in this country, would you say that he was not guilty? I won't say that.

BY DISTRICT ATTORNEY: Not if the arsenic was found in the stomach of the horse? If the arsenic was found in the horse's stomach, somebody put it there; the horse would not eat it.

ERNEST J. LEDERLE, sworn and examined, testified:

You are a graduated pharmacist and chemist, doctor? Chemist. A graduate of what college? The School of Mines, Columbia College. Graduated when? 1886. Since that time where have you been practising your profession? Principally here in the city as expert of the Board of Health. Since 1886 you have been connected with the Board of Health as one of their expert chemists? Almost all the time but a year and a

half. On the 28th of August, Monday, of this year, did you receive from Dr. Brady a bottle containing some fluid? I did. Have you that with you? I have the bottle. At the time of its receipt by you, was it securely sealed? Yes; this is part of the label, here. Did you make an analysis of the fluid that was contained in that bottle? I did. What was the result of your analysis? (Objected to, on the ground that it has not been proven that this bottle contained the fluid taken from the body of that horse.)

By the Court: Is that the bottle you received? That is the bottle.

BY DISTRICT ATTORNEY: Did you receive from Dr. Breder any other bottle than this one, containing any liquid? No. I ask you, did you make a chemical analysis of the contents of that bottle? I did. What was the result of that analysis? I found arsenic present. And to what extent? To the extent of $3 \frac{3}{4}$ grains, equivalent to arsenious acid, white acid--what we ordinarily term arsenic, which a chemist terms arsenious acid. Assuming the liquid which was brought to you to be the fluid contents of the stomach of a horse, the contents taken from that animal on Sunday, the animal having died on the preceding day, could you form any estimate as to the quantity of arsenic that was originally administered? I would rather not answer that question, as I am here as a chemical expert and not as a medical expert. Was there, in your opinion, a greater quantity of arsenic administered than the amount that you found? If you ask me that as my opinion, and not as my expert opinion, I could answer it; I couldn't answer it as an expert opinion, because I am not a physician.

By Counsel: How much arsenic do you say you found in that fluid?

43 $3 \frac{3}{4}$ grains. Actually in that bottle? In that bottle;

there were 11 fluid ounces of contents. That would make what? 3 3/4 grains of arsenic in the whole amount in that bottle. Was that bottle full? No; I should say that held about 11 fluid ounces.

MICHAEL McDONALD, sworn and examined, testified as follows:

m Where do you live? 29 Monroe street, and the stable at 27 Monroe street belongs to me; it is in a basement; there are nine stalls in there. The first stall is occupied by a man named Knowles, the second by a man named Adams, the third, I think, by a man named Jacobs, and then there are four more; one occupied by Mr. Murphy, another by Mr. Gleason, and another by Mr. Cohen; there is one more before you come to the slat partition. Back of that slat partition, whose horse was stabled on August 19th and 20th? Mr. Cooper and Mr. Feinberg that were here, had those two back stalls, with a lath door separating them. Has the entrance to that stable from the street a lock on it? There is a lock hanging on the door, but it is not locked at all times; it is a snap lock, and they leave it open until the last horse is in. Did the various parties have keys? Yes. Do you know whether this defendant had a key? I gave him a key on a Monday, I think it was the last week in July; they took this place off me on Sunday, and I think I gave a key to each. Has he ever returned you the key? I never got the key back from any of them. Where is the gas-light in that stable? There is one gas behind the third wall, and the other is on the right hand, as you go down, opposite the third stall, about the seventh stall. Is there any gas-light back of the slat partition? No. Was there anything which would impede or interfere with the light from the front gas-light

opposite the third stall, being thrown back as far as the lath partition? There is nothing in the way; you can see right clean through; they generally lit both gas jets; the people occupying the back part of the stable they light the second gas when they come into it.

CROSS EXAMINATION:

Do you know this man, the defendant? I know Peel about a year; he stabled with me before this; it was he who introduced Mr. Cooper and his partner to me. Do you know what his character was at that time? Good, honest, decent man; he paid me. I had business transactions with him, for credit and cash, and he settled up with me immediately; he paid me like a gentleman; I never saw anything wrong with him, until he got into this.

(The People rest.)

THE CASE FOR THE DEFENCE:

ABRAHAM BAUM, sworn and examined, testified:

Where do you live? 318 Broome street. What is your business? Cafe and restaurant business. Do you know Mr. Peel, the defendant? Yes, about six to eight months; I went on his bail-bond. I know him very well, and I know a few other people who know him. So far as I know, he is a thoroughly decent man. I saw Mr. Cooper once in my place, I do not remember when, some time about the end of August. I saw him in my place, and had a conversation with him. State the conversation that you had with him, in reference to the case now on trial? I know Mr. Peel since six or eight months he frequents my place very often; at once, I noticed that he discontinued, and at first I did not pay much attention to it. I said to Cooper that if the man was guilty I did

not see how he could get out of that hole, but if he is innocent, then I will go bail; Cooper said that it was not an ascertained fact, and that he did not know whether he had poisoned the horses or not. I said to Cooper, "If he is guilty, although he has a wife and children, I don't intend to do anything for him; but if he is innocent, there is a God, and the punishment for those that accuse without reason an innocent man."

CROSS EXAMINATION:

Cooper said he did not know anything at all, whether the man had poisoned the horses or not. Have you any other business besides that of keeping a coffee house and restaurant? Sometimes I play in the theatre. Do you make a business of going on bail-bonds? I never did that. Is it not a fact that you have frequently given bail-bonds for women who have been arrested, and after they have been sentenced and fined, you have continued your association with them? It is not correct. Do you know Officer Schindler? Yes, a little; I know him by face. Do you remember the woman that Officer Schindler arrested last February for soliciting in the street? I remember a particular friend of mine, Mr. Brodkey, came to me and told me that the woman was arrested, and that I should give bail. You did give bail for her? Yes. She was arrested for street-walking, for soliciting men? I do not know that. Did you know what she was charged with when you gave bail for her? No. Where did you give bail; in the station house? In the Eldridge street station house. Did you ever see her after that? In court. When you were in court did you know what she was charged with? I took the woman to the station house, and then went away for the bail. When you were in court

did you know that she was charged with soliciting? I did not know that. Did you know that she was convicted, and had to pay a fine? No. You have seen her since then? I never went any more with that woman. Is it not a fact that you walked in the street with her, in Stanton between Forsyth and Chrystie streets, since then? It is not true; I am sure of that. How did you come to go on that bail-bond? I have told you already that it was a very particular friend of mine, Mr. Brodkey, that came to me and told me there was a woman, she would not run away, and he wanted me to go bail for her; so I went to the Eldridge station, and I gave bail. What is Mr. Brodkey's business? Brodkey's business is in a saloon. Together with your business of cafe and restaurant you also play in the Hebrew theatres, in this city; don't you? Sometimes. With which theatre are you connected? With both; Wednesday night I was at a concert. I am connected with the Thalia and the Windsor. I speak the English language.

ABRAHAM FREEDMAN, sworn and examined, testified:

Where do you live? 37 Canal street, and I am in the clothing business. I know Mr. Peel about five months; I do not know anybody else who knows him.

ISAAC BERNSTEIN, sworn and examined, testified:

What is your business? Grover man, at 78 Henry street; I have been there over two years. I know Mr. Peel over two years. Do you know his character, what kind of a man he is, whether he is good or bad? I know he is a very good man. You have never heard anybody say a word against him; have? No; I dealt with him. You know other people who know

him, and they speak the same way of him? Yes.

HYMAN SHICK, sworn and examined, testified as follows:

What is your business? I have got a liquor store, at 18 Orchard street. I know the defendant, and have known him about a year. I know other people who know him, and he is a perfect gentleman. Did you ever hear anybody say whether he had a good or bad character, before this case? Yes; every one says that he has a good character; all Orchard street knows him, so far as I know. He used to borrow some money of me, sometimes; sometimes \$15 and some times \$25, and he always paid it back.

JACOB FREEDMAN, sworn and examined, testified:

Where do you live? 47 Eldridge street. Were you present at any time when Mr. Peel and Cooper were together? Yes. Did you hear any conversation between the two? Yes; I do not remember when it was; I think it was after June. Where did you see them? In 34 Chrystie street. Did you hear anything said between the two of them? Yes; Mr. Cooper was asking Mr. Peel to come down with him to the market, to buy something; it was Saturday morning. Then Mr. Peel went down with him in the market; then by this time they brought twelve barrels of potatoes and one horse and wagon; then after that he was asking Mr. Peel if he would not be so kind as to help him sell the potatoes. What did Peel say when he asked him if he would not sell the potatoes? He said, "What will you pay me?" And Cooper said, "I will treat you all right." When the question of payment was brought up, was anything else said about it? Yes; then the two was talking together, and Cooper said to Peel that he wanted to take him in partner-

ship; Feinberg was there at that time. Then Peel says, "All right, I am satisfied; but I haven't got so much money to pay you;" then Mr. Cooper says, "All right, I will buy another horse, and you can pay me so much and I will charge it to you out of the profits we will make peddling." Peel says, "All right." Then Peel went with me to Mr. Goldberg, corner of Bayard street, and he got a check from Goldberg for \$20, and he gave that check to Cooper, and Mr. Cooper gave the check to Mr. Kaplan, who is one of the witnesses here in court. Then Mr. Kaplan took that check and went to change that check and Mr. Cooper got the money. Peel gave Cooper the check, and said, "You remember, I will be in company." Cooper said, "That is all right." Then Peel wrote a letter to his brother in the country, and his brother sent him a check for \$20; I saw Peel have that check. The second check, the one that Peel got from his brother, was cashed, and I saw him give the money to Mr. Cooper; I was listening while they were talking together; Peel gave Mr. Cooper \$26. Then the people were looking for another horse and wagon, to buy it, but I don't know whether they bought that horse or not. What did Cooper say when he received the \$26, in your hearing? He says, "All right; I will put up some money, and will buy another horse and wagon." Do you know whether or not they bought another horse? I do not know. Are you on good terms with Peel now? No; I was on a friendly footing with him, but subsequently there was some equivocal talk, and I did not like to associate with him any more, and I moved out of the house. Since that time have you spoken to Peel? No.

C R O S S E X A M I N A T I O N.

Do you mean, when you say that there was equivocal talk be-

tween you that there was lying? Because Peel said to a girl that she should not marry me; Peel had said that I intended to leave that girl, and not marry her. What did you mean when you said that you did not like Peel's associations? He said to a girl that I had no intention to marry her, and put me in a bad color towards the girl; so I did not like any more to have to do with him, and went away. I think it was in July that Cooper gave Cooper the first check of \$20. When was it that he gave him the \$26? A couple of days after the first check was given; I can't recollect the date; I have no great mental capabilities.

JACOB PEARLSTEIN, sworn and examined, testified:

Where do you live? 93 Henry street, with my sister. I know the defendant, Peel, over a year. I remember the 18th of August, 1893; I think it was Friday. I saw Peel that night at 22 Orchard street, at half-past 7; he was with the Boss, Abraham Grannit; Mr. Grannit is a friend of mine; Mrs. Grannit was there at the time, and the children. I left there about half-past 10. Kaplan and a woman named Annie Goldstein left with me and another woman; I don't know her name. We went down to Grand street and the Bowery and took a car; we went over the bridge to Harlem, and went up on the bridge, and then we came back; we started back about a quarter past 12, and we reached Grand street about 1 o'clock; all these people were with me; then I went home. Was Peel there all the time, at Grannit's house, from half-past 7 until half-past 10? Yes, he was with me; I am sure of that. He never left your company from half-past 7 until you went away? No.

CROSS EXAMINATION:

I am a clerk in a shoe store, at 189 Clinton street; my

brother-in-law and sister keeps it; her name is Rachel Goldman, and her husband's name is Abraham Goldman. I never worked for Mr. Grannit; I know him over a year; he has a place at 22 Orchard street; he has six children, and they were all home. When I got there I found Peel sitting with the boss, talking to him, in the parlor. Mrs. Grannit and all the children were there; I came from my sister's, 93 Henry street. Annie Goldstein lives in 93 Henry street, with my sister; my sister has a husband; he was in the country, he went peddling; he is in Providence. I do not carry a watch, but I saw the time on a clock in a saloon corner of Pike street; I saw it through the window; it was about eight minutes past 7 when I looked at it; I am sure it was no later than five minutes past 7. Miss Goldstein and I went out for a walk; we had not decided then to go up to the Harlem Bridge; I asked Kaplan to come and take a walk, too. After Peel was arrested, did anybody ask you if you remembered what time it was you came around there? No. Did the lawyer ask you particularly about the time? Yes; he asked me if I looked at the clock, and I told him it was about half-past 10; I looked at it in Abraham Grannit's house; I did not stop anywhere before I went to Grannit's. Are you sure that this night was the 18th of August? I couldn't tell you the 18th of August; I know it was Friday night; I could not tell you whether it was the 12th or 18th of August, or the 4th, 10th, or 11th; all I know it was Friday night. I do not know anything that happened the next day or the day before. Monday morning I heard Mr. Peel was locked up. Was that the week after you had taken this trip up to the Harlem Bridge? I know it was not a week; it was about three days. I am sure it was a Friday. I am no relation to Peel, and

know none of his relatives; he was a customer in the shoe store, and that is all I know. I went into 22 Orchard street and they told me about it, and they sent me a subpoena. I do not know who sent it; I saw the lawyer about three days after I got the subpoena. Didn't you see the counsel about a month ago? No; the first time I ever saw Mr. Alter, the lawyer, was about three weeks ago; I was in his office; Abraham Grannit and his wife asked me to go there. I went there with Annie Goldstein, and Kaplan came a quarter of an hour after, with a woman; I don't know the woman. I do not see her in court. All of us played pinochle in Grannit's room; we played partners, for drinks; the children went out and brought the drinks, I think, three or four times; it was beer we drank; we stopped playing about a quarter past 10.

JACOB KIRSHON, sworn and examined, testified as follows: Where do you live? 198 Henry street; I am a cap-maker, by trade. I saw Mr. Feinberg on Chrystie street, corner of Canal on a Monday; I couldn't tell you the date; he began to speak to me; he asked me, the first time, if I could speak English, and I told him yes. He said, "If you wanted to make a few dollars, you could make it very easily." I said, "How is that?" He said, "Would you be a witness in a case, in a trial, if you got paid for it?" I said, "I don't know; what kind of a case is it, what kind of a trial is it?" So he began to talk to me; he had got a case of a man of the name of Peel. I said, "Well, how is it?" He said, "I get a man; he hasn't been long in the country, and he wants to go a witness for me for \$5. If you want to go, I will give you \$10 to go and say you saw Mr. Peel around the stable on Friday night, in Monroe street somewhere." I am not sure

what number he told me, but I remember it was in Monroe street. This is the conversation with Feinberg, that is what Feinberg told you? Yes. Did you see Feinberg on the stand yesterday? Yes. That is the same man who told you this? Yes, the same man. He offered you how much to be a witness? \$10. Did he tell you what to say? Yes. What did he tell you to say? I should say I seen Mr. Peel in the stable, on Monroe street; I don't remember where; I remember he told me on a Friday night, but I do not remember what number in Monroe street. Do you know Peel? No; I saw him only a few times. Did you ever see him before he was arrested? No. Did you ever see him before this man spoke to you about him? No. Did you know whom he meant when he said "Peel?" I did not know it. What did he say about the other witness? He told me he got a witness, and he ain't long in the country, and he wants to go for \$5; but he wants me better; I should go and I should say the same words the other man would say, but he wants to give me \$10. I told him, "How can I do that? I would not go for a million of dollars, if I did not know nothing at all about the case." He said he has got a few more witnesses that come s for money, and they are not afraid at all. Did he offer you \$10; did he have the money in his hand? Yes, he had the money in his had. You refused to take it? I told him I did not want such business.

CROSS EXAMINATION.

Did you ever have business relations with Feinberg? No; I spoke to him some times; he used to sell fruits and groceries around Henry and Orchard streets. Have you ever been in prison or convicted of anything? No. Did you ever go to testify to things that were not true? No. Did you ever

tell Feinberg that you had done anything of that sort? No, I did not. Did Feinberg ever know anything about you that was not right? I couldn't tell you that. How many times had you spoken to Feinberg, before he came to ask you this? A few times; I can't exactly say how many times. Where was it that you first met Feinberg? It was in Henry street, in a grocery store; I don't remember the number; it is near Rutgers street; I do not know whose store it is. Do you know Jacob Pearlstein that testified here? No. Do you know his sister? I don't know her. Do you know anybody by the name of Pearlstein? I do not know anybody by the name of Pearlstein; I know him over there, but I do not know if his name is Pearlstein; his first name is Jake. Did you ever see him in this grocery store, down in Henry street? No, I did not. The first time that you met Feinberg in that grocery store, who introduced you to him? He had apples on a wagon, and I took a few apples off him; I was talking to him, of course, but I cannot remember what it was about; I next saw him in Orchard street; he was peddling potatoes and different things; he was standing with his wagon. I spoke to him one Friday; he was peddling fish, down Bayard street; I cannot remember what I said to him. I was standing at the corner of Canal and Chrystie streets when he came up and spoke to me; there was nobody else around. I was standing, waiting there for a friend of mine, and he passed. So he said to me, "Hello; good morning." Then he began to talk to me about money, that I should be a witness. Whom did you tell about this first? I told it first in 18 Orchard street to a saloon-keeper named Sickey; I said to him I could make money for nothing; I told him that about four weeks ago. Did you go to Peel and tell him? No. Did Peel

come to you about it? Never. Did anybody ever speak to you about that since that time? Nobody talked to me since that time. Have you ever spoken to anybody about it, except Mr. Sickey? No, I did not. Did you tell Mr. Alter? Yes; I told him about two or three weeks ago, in his house; a strange man told me to come there, and asked me if I knew anything about the case; I said, "Why did you ask me?" He said, "You ought to come to the lawyer and tell the thing that you know;" he said, "If you don't come, they will make you come; you say what the man told you." I do not know him; he was a strange man, and I never saw him before, and have never seen him since. Did you see him around the courtroom? No, not here; I haven't seen him anywhere except there. I went around to that house in the day-time, and he told me I should go in the evening to the lawyer. How many times have you been to court? This is the third day I have lost my work; I don't expect to be paid for my time. Didn't you ask anybody whether they would pay you for coming here? No. Don't you expect to get any money? I do not know; if anybody would give it to me, I would not take it; of course, I would not ask anybody. Take a good look at this man (Feinberg); is this the man that offered you that money, \$10, if you would come and swear something that is not true? Yes. Before that, he never talked to you about anything you can remember? He was talking to me, but not about any case; Mr. Feinberg has always been a good friend of mine, but I would not do that for the best friend in the world. Did he ever come to your house, or did you ever go to his? No. You got a subpoena to come here to-day? Yes.

ABRAHAM GRANNIT, sworn and examined, testified as follows:

Where do you live? I live now at 47 Eldridge street; and, before that, I lived at 22 Orchard street. I am a tailor, and know Mr. Peel. I remember a Friday night when he was at my house. Mr. Peel came, and a half an hour afterwards Mr. Jake Pearlstein came, with a lady, and after that, Kaplan, also with a lady; Pearlstein came half an hour later. At 7 o'clock, when I came from my work, I found Mr. Peel in my house. How long after you came home did these people leave your house? At half-past 10, Pearlstein left with a lady and Kaplan with a lady; I closed my door, and went to sleep. You are sure when you got there at 7 o'clock, from your work, Peel was there? Yes; Peel was in my house. Did Peel leave at any time from the time that you came in and found him there until he left, at about 10:30 o'clock? No; he always remained home, and we played a game of casino. I have worked for Falberg and for Solomon; I cannot remember very well where I worked when these people came there; it was a time when work was very dull, and we worked up and down on jobs. These people with whom you worked, did they keep the Sabbath, keep closed on Saturday? Yes.

C R O S S E X A M I N A T I O N :

Are you sure the people you were working for then kept closed on Saturday? Yes; because I work with Hebrew people. Had Peel ever been at your house before that night? He came always; about three or four times a week. I saw Pearlstein once or twice a week; he came to my house since the time that I commenced to buy shoes in the store. Did he ever come there before with Annie Goldstein? I have seen that girl once or twice only; Kaplan often came to my house.

RACHEL GRANNIT, sworn and examined, testified as follows:

I live at 47 Eldridge street, and, before that, I lived at 22 Orchard street. I know Peel very well for a year and a half. I remember seeing Peel at my house, on Friday night, with some other people. After Peel came in, Jake Pearlstein came in with Annie Goldstein, and with the other lady, and then my husband came in; they enjoyed themselves playing cards. It was after 7 o'clock when Pearlstein came; Peel came in before 7 o'clock; they stayed at our house until half-past 10. My husband wanted to go to sleep, and he said it is time the people should go home; they went away, and he locked the door and went to bed. I am positive that it was half-past 10 when they left, because I looked at my clock, and then I went to bed.

C R O S S E X A M I N A T I O N:

I know it was Friday, because the next day was Saturday, and my husband did not go to work. I did not know Peel in the old country; the first time I saw him he was working with Mr. Kaplan, in my house, where I lived before. He and Kaplan are cousins. I heard that Peel was arrested the Sunday night after this Friday night.

ANNIE GOLDSTEIN, sworn and examined, testified as follows:

I am twenty-one years old. I know Jake Pearlstein; I am his girl. I know Peel; I saw him at Grannit's house. I went with Jake Pearlstein to Grannit's house, on Friday, at half-past 7 o'clock, and I stayed there until half-past 10. Joseph Peel was there when I got there. Afterward, at 8 o'clock Mr. Kaplan came with a lady; I did not know her; I saw her there for the first time. From the time that you came in there, until half-past 10, was Mr. Peel in that place, 22

Orchard street? Yes. Where did you go to from 22 Orchard street? From Grand street to the Bowery, and we took a Third avenue car and went to the Harlem Bridge. All this time was Peel with you? Yes. What time did you reach home? 1 o'clock.

C R O S S E X A M I N A T I O N :

Did you work that day? Yes, Friday; I got home from work about half-past 5. It may have been eight minutes past 7 when I left home; Jake Pearlstein told me that it was that time; I remember he looked at a clock in a saloon. I know that it was half-past 7 when we got around to Mr. Grannit's; I looked at the clock on the mantel-piece. Who spoke first about going up to Harlem? We all said that; we talked about going to Harlem when we were in the room. Pearlstein paid my car-fare. What did you do when you got up to Harlem? We went around about the bridge. Did you get anything to drink up there? We did not drink anything, and we did not eat anything; we only went about, and then we came back; when we got home it was about 1 o'clock.

ISAAC FELNBERG, recalled by counsel:

Did you ever have any trouble with Mr. Cooper, about a horse? No. Did you ever have any trouble with any person about the harness in that place? No. Did you ever have any trouble about somebody claiming that you took a harness away? Yes, somebody said it. Weren't you arrested, charged with stealing that? Yes. And that same man stables a horse and wagon and everything else in that stable in which you keep yours? Yes. After you were charged with stealing the harness, it was found? I found the harness, in the stable. You did not bring it back? No; the other man had the har-

ness; he changed it; he is one of the men who keeps a horse and wagon; I had nothing to do with stealing that harness. How long did you know Mr. Cooper before you went in partnership with him? I know him fifteen years; I am from the same country. In whose name was the first horse bought? In my name, and in Max Cooper's name. Was there not a bill of sale made of that horse? No. Didn't you know that Mr. Cooper did not have his name used at that time, he had failed, and he was afraid to have any property in his name, afraid that it would be taken away from him? I did not know that. Did you ever hear anything about Cooper's character before you went into partnership with him? No. You never heard any statement made about his arrest in Ohio, and coming here with stolen money, after being let out on bail; something of that sort? I do not know.

C R O S S E X A M I N A T I O N, by District Attorney:

The lawyer asked you if somebody was arrested for stealing that harness; do you remember who was arrested for stealing the harness? Nobody. Did you hear this man, Kirshon, testify? Yes. Did you hear him say that you met him on the street and told him that you had given somebody \$5 to swear in this case, and that you offered him \$10? He came up to my house a couple of times and he wanted to settle the case, and then I said I can't settle the case; he must fetch me up in the place, I don't know what street, to a woman and some men; I am afraid to go myself. He said; "Don't be afraid; nobody will touch you." I went away with Max Cooper and the other two men, and Kirshon said, "Why don't you settle the case? You will get money." Who was the woman that he took you to see? She kept a cigar store, in Pitt street; I don't know the number; I think I saw the woman in court,

this morning I saw her here. Did you or did you not offer money to Kirshon? No; I did not offer him any money. Did you ask him to be a witness in this case? No; Kirshon promised me money to settle the case. Did he have any money in his hand? He had no money in his hand. Did he put his hand in his pocket, to take out some? No. You would not have taken it, if he had offered it to you? No. Suppose he had offered you the value of both horses, in other words \$200, and handed you the money, would you have let Peel go? I told him that I would not accept a thousand dollars.

MAX COOPER, recalled by counsel:

Were you ever in Ohio? No; I was in Kentucky about two years. Why did you leave Kentucky? My wife was in Russia, and I thought I will go home; I came here, and I found lots of friends, and they told me to send for her to come here. How much money did you have when you reached New York from Kentucky? About \$300. Where did you get that money? I worked for it, and made it. Were you ever convicted of a crime in Kentucky? No, I never was in a court; this is the first time I am in a court. Were you ever under bail for an offense in Kentucky? No, I never was. You heard Feinberg testify; didn't you? Yes. Tell the Court and Jury exactly what you heard Peel say to Feinberg when Feinberg was on the wagon, about driving off, the day you came down stairs? I was up stairs, and I heard holloaing; I came to the wagon, and I found Feinberg, who lived in that place. Joseph Peel was talking with him; he spoke to him and said, "like, he isn't going to drive the horses any more; he is too sassy." Peel says, "I will find the hprses in any place, and I will poison the horses." I didn't hear what he said to

Feinberg. Had he gone when Peel spoke, or was he there? He had gone away, so that he could not hear what Peel said. Where was Feinberg standing when he made that remark to him? Feinberg was sitting in the wagon. Then he did not make that remark to Feinberg while you were there? By the time he spoke to him, I saw him; he got mad; there were a good many people there that day..

BY DISTRICT ATTORNEY: When you got around to the stable on Saturday morning, did you notice the condition of the lock on the door that led into your two stalls? The first morning I was not in the stable, but my workmen came to the stable. You are asked if you saw the lock when you were in there Saturday morning; did you see it? No, I did not see the lock; I was not much in the stable. Have you seen the lock since your horses were poisoned, as you think? I do not think I saw it. Did you hear what Jacob Freedman said to-day here in court? Yes. Did you hear him say that he saw Peel give you a check for \$20 that Peel had got from Goldberg? Yes. Did Peel give you a check for \$20? He never gave me a cent. Did he ever give you any check? No. Did you give any check to Kaplan? No; I never gave any checks. Did Peel give you, at any time, the sum of \$26, and say to you that there was \$46, and that you could buy another horse, or did you say anything to Peel about that? No; he never gave me a cent of money.

BY COUNSEL: Did you give Kaplan a check to get cashed? No, I never gave him a check. I know Kaplan.

Money

Monday, October 23, 1893.

ISRAEL KAPLAN, sworn and examined, testified as follows:

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I live at 146 Orchard street, and know Mr. Peel. I was with

Peel on the night of the 18th of August, Friday night. I saw him that night at about 8 o'clock, and was with him until 1, and during all that time he was with me. Do you remember receiving a check for \$20? Yes. From whom did you receive that check? I don't remember exactly; but it was made out to Mr. Peel. Did you get the check cashed? Yes. Did you see what was done with the money? Yes; Mr. Peel gave that to the partners, Mr. Cooper and the other one. Did you see it done? When he received the money, I didn't see it, but I know it was taken for that purpose; he told me he wanted--- (The Court: I will strike it out.) You say you remember receiving a check for \$20? from Mr. Peel? Yes. Did you get it cashed? Yes. To whom did you give the money? I gave it to Mr. Peel.

C R O S S E X A M I N A T I O N :

When was this? I couldn't tell you the date; it was in the evening. Where did you get it cashed? By Mr. Hoffman, 55 Allen street; it was Mr. Goldberg's check; Mr. Goldberg keeps a saloon, corner of Bayard and Forsyth street; I could not tell you what bank it was on; I got it cashed by Mr. Hoffman, 55 Allen street. Can you give me any idea when this man, the month of August or September? No, this was in July; the check was given to me before July, but it was dated the 2nd of July, and that was a Sunday, and it came back from the bank; that is the reason why I know it was Sunday; it was dated a couple of days ahead; I put it through the bank, and it came back to me; not through my own bank account, for I have no bank-account. Who was with you on the night of the 18th of August? Mr. Peel, Annie Goldstein, Jake Pearlstein and another young lady; she was a young lady acquainted with me, and then she went away, out of town. Her name was Jennie

Cohen; she lived at 98 Hester street. I had only seen her a couple of times; she was working as a finisher. I called for her about a quarter to 8; I made an appointment with her that evening. Grannit was a friend of mine, and when I went there I found Jake Pearlstein and Peel. I know him from the old country; he is a cousin of mine. I stayed at Grannit's house until half-past 10; I did not have any watch, but I looked at the clock. After we left, we took the car and we went up to Harlem, to get a little fresh air. We stood on the bridge for a while; we did not have any drink up at the bridge, nor anything to eat, for we were not hungry.

SIMON DUSHKIND, sworn and examined, testified as follows:

Do you remember the day that you were called first as a witness to testify as to who it was that you saw in the stable on that night? Yes. Where was the first place that they asked you to identify the man? In the stable. Was the man there at that time when you were asked that question? Yes, the man was there. Do you remember going down to the station house, in Madison street? Yes. Do you remember being asked there to identify the man whom you saw in the stable that night? Yes. Did they make a line of men up there, for you to pick from in the station house? No. Do you remember when you first saw the defendant, Peel, in the station house that you denied that he was the man whom you saw in the stable? I told that it was the man. Didn't you first deny that you knew the man? I had told that I saw the man with dark trousers, with a black hat, and with the jumper. Did you say something, a moment ago, about the color of the tie and the collar? No. Then you deny that you, when called upon in the station house to identify the man, first ad-

mitted that you did not know him, and then you pointed this man out saying that he was the man? The stable was not very well lighted, and so I told them it was a stout man, in such apparel as I described. Do you mean to say, with the stable as dark as you admit it was, you can tell just what kind of trousers he had on, and whether he had white or black jacket? Because the moment he stood near the gas, I saw. During that moment you took such particular care to notice what particular kind of a jumper he had on, what kind of a jacket he had on, and whether he had a dark face or a mustache; is that what you want the jury to understand? It is, because I saw that. Did you have any particular instructions to look at any man that came in? No. You say that all you remember about this man's appearance was his blue trousers and his general dress, and because he had a mustache; is that it? I clearly remember this; no more than that. Do you identify the man's face, or his clothing, or both; did you identify him by his face or by his dress? Also by the face. How long after you saw that man in the stable that you say you saw, did you see this man? I saw him often around there, but not afterward. You saw him in the station house; didn't you? Yes, in the police station. How many days after that was it that you saw him in the station house? Two days. X Since you left the court last week, Friday, or since the trial of this case commenced, on Wednesday morning, have you spoken to anybody about what you were going to testify to? No; I did not talk to anybody about the trial.

BY THE COURT: I understood you to say, "I saw the defendant often around there;" when did you first see the defendant, relating to that night that you have been testifying to? I could not say exactly when I saw him the first time before that

day. Had you seen him before that day? I saw him often. In that stable? Yes, in that stable. Is this the same man that you saw in that stable that night? Yes, this is the man. What had you seen him doing in the stable before that? I saw him feed the horses. What stalls were they in; do you know? In the back.

BY COUNSEL: Did you know, at that time, that Thursday night, that Mr. Cooper and Mr. Feinberg had put another lock on the door, as they testified to, and Mr. Peel was not allowed in that stable, and had not been in that stable for two weeks; did you know it? I did not see the; I have a key. Did you ever go to the back of that stable? No. You have never been in the rear of that stable, where the horses were? No, never. You did not have charge of those horses there beside your own, did you? My boss has one horse. How many times in all, if you can remember, have you been in that stable? I go every night there; I perform my work there. Do you mean to tell this Court and Jury that you have been there every night since the 18th of August, and for two weeks prior to that, as you have testified to, and you have never, in all that time, been in the rear of that stable? No.

JOSPEH PEEL, THE DEFENDANT, sworn and examined through the Official Interpreter, testified as follows:

Where do you live? 302 Broome street. You understand English? No. You understand what I am asking you now? I understand some, but I am not able to express myself. You know Mr. Cooper and Mr. Feinberg; don't you? Yes. Do you remember the day when you met Mr. Cooper and spoke about the partnership? I do not remember. Do you remember having

any conversation with him about that? We lived together. Did you become a partner of Cooper and Weinberg? Yes. Did you pay Cooper any money, at any time, or Feinberg? Yes. What for? They had merchandise before, and I had paid a part of the money. Just answer the questions; why did you give either one of the two any money? They had a horse with a wagon, and I paid money in order to be a partner. How many times did you pay him money? Two times; two checks I gave him. To whom did you pay the money? Cooper. How much was the first amount that you paid him? \$20. What was that, in cash? I had a check from Mr. Goldberg, and I requested Mr. Kaplan to exchange the check for money, to cash it, and Kaplan gave me the money for the check and I gave the money to Cooper. The second time, how much money did you pay? I had received a check for \$26 from a brother of mine, from the country. To whom did you pay that check? Also to Cooper. What did you give him; the check or cash? A check. How much money were you supposed to pay in altogether, as a partner, in this business? It was understood, \$80 that I was to pay in. During the time that they purchased the second horse, how much were you then supposed to pay in? \$20. Then, altogether, to become a fullfledged partner in this business which they were conducting at that time, you were supposed to pay in a hundred dollars; is that it? Yes. You paid in \$20 in cash and \$26 in check; that is \$46 you paid them, actual cash; how much money did you pay them altogether up to date? I do not remember exactly how much, but I think I had paid nearly all and I had to collect some money from groceries to complete the payment -- \$46 I paid cash, for the check and the other money I paid from the profits. The balance of the money which you say you paid

in, besides these \$46, was deducted from your profits; is that it? Yes. As near as you can get at it, how much money have you interested in this business, this partnership; how much money have you in that business to-day? I remember that I have paid \$80 and some other money I had to pay from the profits. You are charged with poisoning these two horses, in which you say you were a partner; did you poison them -- answer yes or no? How have I to poison my horses? How have I to spoil my money? Do you remember a Friday night in August when you had met Mr. Kaplan and some other friends? Yes. Do you remember seeing Mr. Grannit that night? Yes. Where did you see him? In his house. What time did you reach his house? After 6, I couldn't tell you to a minute. What time did you leave Grannit's house? Half-past 10. From that time that you say you entered, about 6, until half-past 10, did you leave Grannit's house? Not a minute. When you left Grannit's house who went with you? Mr. Kaplan, Jake Pearlstein, Annie Goldstein, and another girl; I do not remember the name of the other girl. Where did you go? From Orchard street to Grand street, and then to the Bowery. From the Bowery where did you go? We took a car and rode up to Harlem. What time did you reach home? It was 1 o'clock; we saw in Grand street, but I couldn't tell you to a minute. At any time during that night, or during that day, were you at 27 Monroe street? I was not there, in Monroe street, since fourteen days, because we were tired and we hired a man to take care of the horses. Did you at any time attend to the horses in that stable? Before we had hired a man, I did it. And that was two weeks before the 18th of August that you took on this new workman? I only can say the day when I was arrested, but it was two weeks

before I was arrested I had not been down there. Do you remember how you were dressed that night, the 18th of August? I had an overshirt and collar, as I have now. You did have some argument with Mr. Cooper about these horses; didn't you? I cannot exactly know what you mean, but I may have talked. Did you have any conversation about what he shall do with the horses? No. Were you ever arrested, or convicted of any offence in your life? Not me, nor anybody of my whole family.

C R O S S E X A M I N A T I O N :

How long have you been in this country? Over two years. Are you a married man? Yes; I have a wife and four children. Where is your wife and children? In Europe. What is the name of this woman you have been living with here? I did not live with any woman here. Down in 22 Oliver street? I do not know anything about it. You say that you wore an over-shirt that night; what do you mean? Underneath, I have an under-shirt; and, over the under-shirt, I have an over-shirt. Did you have any money when you went into business with Cooper; answer yes or no to the question? Yes, I had some money. How much money did you put into the business, when you first went in? \$20; I had a \$20 check. Was that when you first went into the business, or had you been in the business a little while? I was already in the business, and I had already rode a couple of times with the wagon. How long had you been in the business before you put the \$20 in? I cannot remember that; it was not long. An hour, or a week, or a day? Some days, but I cannot recollect. Was it more than a week? No, it was not a week. Did you have any money beside that \$20? Yes, I had money for my own use. How much? I cannot remember how much.

Did you have \$10? I think more than \$10, but I do not know; it may be a little more, or a little less. You say you paid \$80 when you first went in; if that was the agreement, why didn't you pay more than \$20, if you had more than \$20? I could not remain myself without some money for myself; I have to live, also, and must have some money for myself. When was it that you first went into the business? I do not remember. About when, the first of July or the middle of July? It was in the beginning of June, but I cannot state the date; I think in the beginning of June. This \$20 check, you say, was got within a few days after you started in business? Yes. When did you give them the \$26? Two or three days afterwards, when I came back from the country. That was also in the month of June? It was in the same month; I cannot very well say the names of the months. Had you made both these payments before the 4th of July? I cannot exactly remember. Do you remember that there was such a thing as the 4th of July, when Americans shoot off fireworks? I know such a festival, but I do not remember whether it was the 4th, 5th, 6th, or 8th. Where did you go in the country? I did not go in the country; my brother sent me the check. I understood you to say that you gave the the \$26 after you came back from the country? I said the check came from the country, but I didn't come from the country. Did your peddling firm, of Cooper, Feinberg & Peel, do a good business? Yes, we made a very good business. What day were you arrested? On Saturday. A week before that, had you done anything in the business? Yes, on Monday I did, and then I was sick. On Monday didn't they tell you you need no have anything more to do with the business? No. What was the regular day for settling up the business? We

made the account when we had time to do it; sometimes, we did it on the dock. Which was the Sunday that you were to settle the accounts; the Sunday after you were arrested or the Sunday after you were arrested? We did not recount the Sunday before I was arrested; it was fourteen days before I was arrested. Did you get together and find out what the profits had been for the week before? Yes, we did. How much profits came to you then? I cannot remember how much. Was there any profit? There was a profit. Did you take any money into your own hands? No. The week before, did you get any money into your own hands? Yes, I had to pay my rent. How much? I got \$5; I did not like to take it out of the profit, because I like to remain the money for the business. Were you entitled to more than \$5? Yes, I had a right to over \$5. Did you know how much you had paid into this business? Yes; I have left a little book at the house, and it went astray; when I was arrested, it got lost, because I noted down everything. Where was the book? In the house where I lived, at 34 Chrystie street. When did you go back to look for the book? The same day, before I was arrested; I looked, and I saw I had it. You were arrested on the night of the 21st of August; weren't you? I do not remember the day; it was on the Sabbath. When you were in prison, did you send anybody to your room? No. When you got out of prison did you find your property safe in your room? No; a suit was missing, shirts and pieces of linen. Who had the key to your rooms? Mrs. Zimmermann. Where does she live? In 34 Chrystie street, where I lived for two years. Where was the book when you saw it last? The book was on a bureau. Was anything taken from that bureau? I do not know; I was not at home; the people moved;

they put the things on the street, and everything got lost. Where did the people move to? To 8 Allen street. Whom did you know that lived in 22 Orchard street? Mr. Granitt. Who was it that came to see you at the Police Court that lived in 22 Orchard street? I never saw any one. What did you go up to Harlem for that Friday night? I went there out of loneliness; I saw other people go there, and so I went the same. Where did you go when you came back? I went with Pearlstein, to sleep in 93 Henry street, where my sister lives, with Jake's sister. Did anybody else go to 93 Henry street that night to sleep? Annie Goldstein also. How about Kaplan? He went to sleep at his home. Had you ever slept at Pearlstein's before? No. Where were you living then? 34 Chrystie street.

BY COUNSEL: Tell the Judge why you went to Pearlstein's house that night? Because the baby of my land-lady was sick, and I did not like to disturb the people, and so Pearlstein told me to go and sleep with him.

The Jury rendered a verdict of GUILTY, with a
STRONG RECOMMENDATION to MERCY.

POOR QUALITY
ORIGINAL

0508

23-11-1933 RECOMMENDATION TO MERCY.

The jury rendered a verdict of GUILTY, with a

so and sleep with him.

not like to disturb the people, and so Bernstein follows to

night. Because the paper of my land-lady was sick, and I did

not like to disturb the people, and so Bernstein follows to
night. Because the paper of my land-lady was sick, and I did
not like to disturb the people, and so Bernstein follows to

over slept at Bernstein's before at. No. Where were you

How about Kaitz? He wanted sleep at his home. Had you

33. How about that night to sleep? Annie Goldberg also.

sister lives, with Jack's sister. Did you both also go to

with Bernstein? No, sleep in 33. How about that? Where was

the same. Where did you go to sleep? I went

Testimony in the
case of
Joseph Peel
filed Sept 25 1933

QUALITY
INAL

0509

HEADQUARTERS,
EAST 22d STREET,
NEW YORK.



People

vs
Leop. Peck

For: Delaney Noble
District Attorney
New York

Recd

1871

05 10

T H E P E O P L E

VS.

J O S E P H P E E L.

THE AMERICAN SOCIETY
FOR THE PREVENTION OF CRUELTY
TO ANIMALS.

0511

THE AMERICAN SOCIETY
FOR THE PREVENTION OF CRUELTY
TO ANIMALS.

1

HISTORY OF THE CASE.

Up to Monday, August 14th, 1893, Joseph Peel, the defendant, was a partner with Max Cooper and Ike Fineburg in the business of peddling, in which horses and wagons were required, the horses being stabled at 27 Monroe Street.

It appears that business was very poor, and it was decided to dissolve partnership. This appeared to vex the defendant, who said on the evening of August 14th to Barnett Fineburg, "By next Saturday you will not have any horses to drive." On the same evening he said to Rose and Max Zimmerman, "they, -meaning the partners- "had better sell the horses, because if they don't they won't have any Saturday."

On the same evening Peel said to Ike Fineburg, "You won't peddle any more with those horses."

On Friday evening, August 18th, Peel said to Beckey Fineburg, Max Zimmerman, and Rose Zimmerman, "I will poison the two horses."

Peel, the defendant, claims that his former partners owe him \$85, but this is denied by Cooper and Fineburg.

Early on Saturday morning, August 19th, the two horses were found poisoned. One dead, the other dying a few hours after.

Max Cooper, the complaining witness, then caused the arrest of Peel, who was arraigned before Police Justice Voorhes at the ^{Third} ~~Second~~ District ^{Police} Court, charged with malicious injury to personal property, whereupon Peel was held in \$1000 bail for trial.

Cooper valued the horses at over \$250.

The part of the stable where Cooper's horses were lodged was divided by a slat partition from the front part of the stable. Peel, the defendant, and Cooper, the complainant, each had keys to the outer door, and to the partition door referred to leading to the stalls where Cooper's horses were stabled.

After the expiration of the partnership, Max Cooper changed the lock on the partition door. Peel, the defendant, had no key for the new lock, but retained ~~the~~ his key of the outer door. When the horses were found poisoned the lock of the partition door was broken, but the lock of the outer door was intact.

Peel, the defendant, stated that he had given his

key of the outer door to the landlord, McDonald, who denied that he had done so up to Monday, August 21st.

(See M^{rs} McDonald's statement page 12)

W I T N E S S E S.

Max Cooper,	9 Allen Street, N.Y. City.	Page. (4)
Ike Fineburg,	9 Allen Street,	" (5)
Barnet Fineburg,	9 Allen Street,	" (6)
Beckey Fineburg,	9 Allen Street,	" (7)
Max Zimmerman,	8 Allen Street,	" (8)
Rose Zimmerman,	8 Allen Street,	" (9)
Louis Lavine,	9 Monroe Street,	" (10)
Simon Dueschken	9 Monroe Street,	" (11)
Michael McDonald,	27 Monroe Street,	" (12)
Dr Breeda,	47 Oliver Street,	" (13)
Exhibits.		(14)

Dr Ernst J. Lederle, 42 Bleecker St (15) H.G.
 A.S. Evans 109 22nd
 Officer of Society for Prevention
 of Cruelty to Animals

05 14

4

Max Cooper, 9 Allen Street, New York City, says, he was a partner with Ike Fineburg and Joseph Peel. It was decided to dissolve the partnership, and on Monday, August 14th, Peel was informed that he would not be required in the business any more, as there was no money in it. Peel said in reply, "Ike Fineburg could not drive the horses any longer. I tell you! I will fix you!! You will not get one cent for the horses."

05 15

5

Ike Fineburg, 9 Allen Street, New York City, says,
On Monday evening, August 14th, between five and six o'clock
when I came home from the market, I said to Peel you cannot
"be a partner any longer. I do not want you any more. Not
"enough money in the business." Peel said, "I will fix you"
I said, "What can you do?" Peel replied, "I will find
"you and the horses in every place. You will peddle no more
"with those horses."

05 16

6

Barnet Fineburg, 9 Allen Street, et., New York City, says he was a driver for the partners Joseph Peel, Ike Fineburg and Max Cooper. On Monday evening, August 14th, Peel says to me, "By next Saturday you will have no more horses to drive."

05 17

Beckey Fineburg, 9 Allen Street, N.Y. City, can testify that on Friday, August 18th Peel said to her " I will poison the "two horses.

. This was said in the presence of two witnesses in the Hallway of 36 Chrystie Street, viz, Max Zimmerman and Rose Zimmerman.

05 18

8

Max Zimmerman, 8 Allen Street, says that Max Cooper, Ike Fineburg and Joseph Peel were partners.

On Monday evening, August 14th, I heard Ike Fineburg say to Joseph Peel, "You cannot be a partner any longer, "you have no money, and there is no money in the business."

On Tuesday evening, August 15th, Peel said to me, "You can tell Max Cooper and Ike Fineburg that they had "better sell the horses, because if they don't they won't "have any Saturday.

On Friday evening, August 18th, he said before me ~~that~~ "I will poison the two horses."

05 19

8

Rose Zimmerman, 8 Allen Street, New York City, says:-

On Monday evening, August 14th, Joseph Peel, who lives in the same house as she did — 34 Chrystie Street — said to her, "If Max Cooper does not sell the horses "before Friday or Saturday, he will not have them any more."

On Friday evening August 18th, he said "I will poison "those two horses."

Louis Lavine, 9 Monroe Street, N.Y. City, says that on Friday evening, August 18th, he was in the stable at 27 Monroe Street when Dueschken was feeding his horse.

He saw three men besides Dueschken in the stable, but does not think he would know them again, but ^{thinks he can} recognise one with a black moustache, who came to the hydrant to get some water in a bucket, and took it to Cooper's horses. After taking the water to the horses ^{the man with black moustache} he returned to the trough with the pail which he washed out.

I then left the stable.

P.S. This answers the description of the defendant.

Simon Dueschken, 9 Monroe Street, New York City, employed by Samuel Jacobs, 9 Monroe Street, N.Y. City, says that on Friday evening, August 18th, he went to the stable at 27 Monroe Street to feed his employer's horses.

When he arrived there Peel, the defendant, stood in the stable, and two strange men were in Cooper's stalls, and were doing something to the horses. Peel went between the stalls referred to and my stall several times, and once asked me, "Whose horse are you feeding?" I replied, "My boss's horse."

While standing at my stall, he, Peel, said to the two men in Cooper's stall. "Hurry up! Hurry up!"

Presently the two men came out, each carrying a portion of harness, which it is claimed to have been stolen.

P.S. This man is very ignorant and cannot speak English. He has been three months only in the country. Had difficulty in getting his evidence interpreted.

0522

12

Michael McDonald says he is the landlord of the stable at 27 Monroe Street. All tenants have a key of the outside door. Joseph Peel had one which he should have returned but he has not done so up to the present. (August 21st.)

0523

13

Dr. Breeda, 47 Oliver Street, New York City, says:-

On Sunday, August 20th, I held a post mortem on the horse that died belonging to Max Cooper, and took the fluid out of the stomach, and from the symptoms I gathered at the post mortem, and those of the other horse I saw dying, I believe that death was caused by arsenical poisoning.

On Monday, August 28th, in company with Officer Evans, of The American Society for the Prevention of Cruelty to Animals, I took the fluid contents of the stomach to Dr. Lederlie, Chemist of the Board of Health, and handed the same to him for analysis.

14

EXHIBITS.

- (1) Fluid taken from the horse's stomach by Dr. Breeda.
- (2) Result of the analysis by Dr. Lederlie, Chemist.
- (3) Photograph of the outer door of the stable, No. 27 Monroe St.
- (4) Drawing of partition door leading from the stable to where
Cooper's horses were stalled, the lock of which was found
broken.

0525

15

No. 42 Blesker Street,

New York, Sept. 5th, 1893.

Hon. John P. Haines,

President, American Society Prevention of Cruelty to
Animals,

Dear Sir:-

I beg to enclose certificate of analysis of FLUID
marked as: "Fluid contents of stomach and part of small
"intestines of mare supposed to be poisoned," which was
delivered to me in a sealed bottle by Edward S. Breeder, U.S.
in the presence of Officer Evans of your Society. The liquid
contained ARSENIC in some quantity.

I am making a quantitative estimation of the Arsenic
and will report the result of the same to you as soon as
completed.

Yours respectfully,

Ernst J. Lederlie, Ph. B.

0526

16

C O P Y.

ERNST J. LEDERLIE, Ph.B.
CHEMIST,

New York, September, 5th, 1893.

No. 60-93.

CERTIFICATE OF ANALYSIS.

Sir.

The sample of LIQUID -
from hands of Edward S. Breeder, V. S. and Officer Evans,
A. S. P. C. A.

Marked, "Fluid contents of stomach etc. supposed to be
poisoned."

submitted to me for examination, contains:

Arsenic in considerable quantity.

(Quantitative estimation in progress)

Respectfully yours,

(Signed) Ernst J. Lederlie, Ph. B.
Chemist.

T. Hon. John P. Haines,
President,

Am. Soc. Prevention Cruelty to Animals.

0527

MARK ALTER,
ATTORNEY & COUNSELOR AT LAW,
WORLD BUILDING,
ROOM 22.
NEW YORK, NEW YORK, Oct. 4, 1893

My dear Mr. Marks -
I have
write you by the Post
concerning our Monday
& would like to get
rid of it as the
people are bothering
the life out of me -
I am trying every day
to prevent it from
as soon as possible
Yours
Mark Alter

0528



JOHN P. HAINES,
PRESIDENT.

*The American Society for the
Prevention of Cruelty to Animals.*

Headquarters, 10 East 22nd Street.

New York, Sept. 5th, 1893

Hon. Delancy Nicoll,

District Attorney, County of New York.

Dear Sir:-

You will find herewith enclosed particulars ^{in the} of a case of the People vs. Joseph Peel, who was arrested and charged before Police Justice Voorhes of the crime of malicious injury to personal property. He was held in \$1000 bail for trial at General Sessions.

For a long time past horses have mysteriously died on the East side of the City with every external evidence of having been poisoned. No clue, however, to the perpetrators could be found, hence, no prosecution. The case presented herewith is one which, in my opinion, warrants the belief that the defendant is guilty of the crime charged.

I send you herewith the names of the witnesses, and what they can testify to; likewise illustrations of the stable, externally and internally.

(wearer)
The officer, A. S. Evans, has worked up the case and will give you any information pertaining thereto which you may deem necessary other than what is embodied in the papers.

I feel confident that you will agree with me in that the evidence, though circumstantial in its character, is strongly against the defendant.

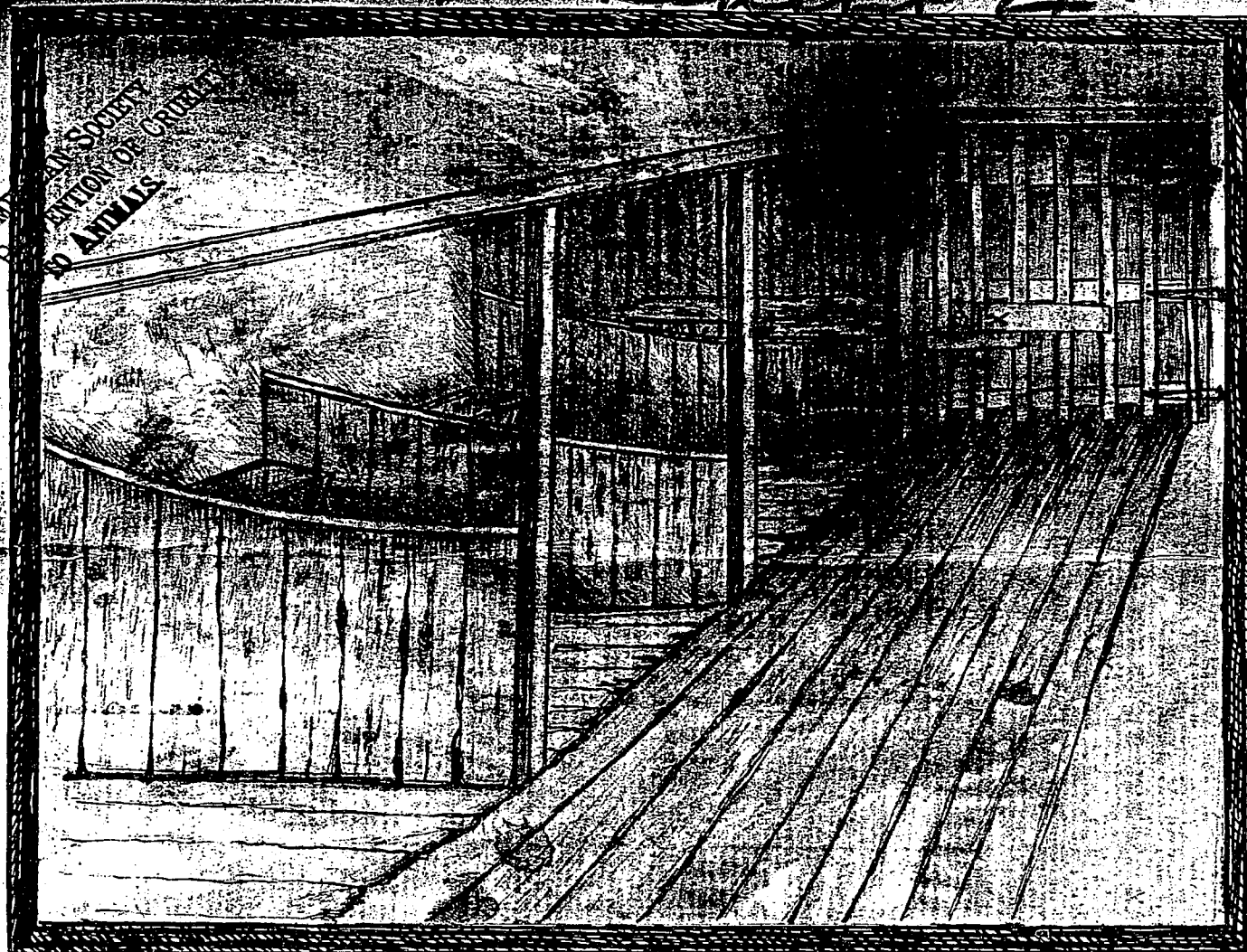
Yours very truly,

John P. Haines
President.

0529

POOR QUALITY
ORIGINAL

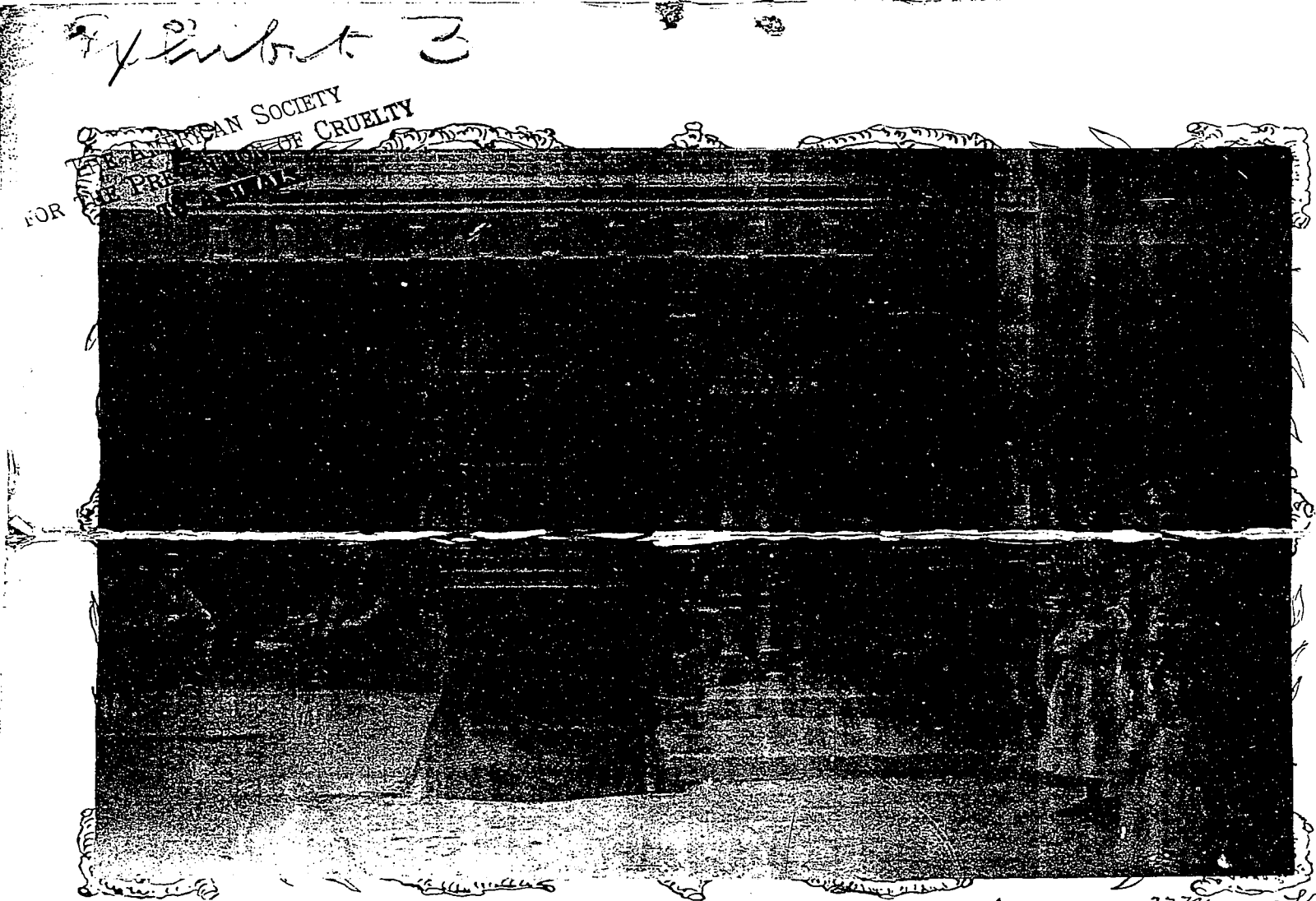
THE AMERICAN SOCIETY
FOR THE PREVENTION OF CRUELTY
TO ANIMALS



*The inner gate leading to the two stalls in which Cooper's horses were found
poisoned, the lock of which was broken.*

0530

POOR QUALITY
ORIGINAL



* Outer door leading into the stable from the street, ^{27 Monroe Street,} which was found unlocked, and to which defendant had a key.

0531

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, Aug 21 1893

John P. Woodie 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.

1881

0532

Witnesses for ~~the~~Bernard Fineberg
34 Chrysoth Street

Call the officer

Dr. Breeder

47 Oliver Street

Along S. Evans

10 East 22nd St.

BARNED.

Onist J. Lederles

No. 1, by 47 Breeder St.

Residence Louis Levine Street.

Sept 18

No. 1, by Abraham Baum

Residence 318 Broome Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OFMax Kupper
34 Chrysoth Street
Joseph Peel

2

3

4

Dated,

Aug 31

1893

Goorhis Magistrate.

Mr. Loarthy Officer.

Precinct.

Witnesses Rosie Zimmerman

No. 34 Chrysoth Street

Michael McDonald

27 Monroe

Becky Fineberg

No. 34 Chrysoth Street

Max Zimmerman

34 Chrysoth Street

Simon Dushkind

No. 9 Monroe Street.

\$ 1000 to answer G. S.

For other copy

See other

On 32 other



Police Court, 3 District.

1901

City and County of New York, ss. Max Kupper
 of No. 34 Chrystie Street, aged 29 years,
 occupation Pecker being duly sworn, deposes and says,
 that on the 18th day of August 1893, at the City of New
 York, in the County of New York, Joseph Peck, (now here)

did unlawfully and wilfully destroy
 and injure two horses, the personal
 property of deponent and Isaac Teinberg
 which were of the value of two
 hundred dollars, and deponent charges
 the said Joseph Peck with wilfully destroying
 the said two horses, by administering and
 giving to said two horses poisonous
 substance, with the intent that the
 said poisonous substance shall be taken
 by said horses from the following facts,
 that said Joseph Peck had some business
 disputes with deponent and said Isaac
 Teinberg, the owners of said horses, and on
 the 15th day of August 1893, said Joseph
 Peck stated to Rosa Zimmerman, his landlady,
 whose affidavit is hereto annexed, that
 the horses of deponent and Teinberg will be
 poisoned and they will not again drive
 with it, and on her stating to him that
 it is a pity for the owner, he said
 none her any pity for him. That on
 the 18th day of August 1893, said Joseph
 Peck states to Rebecca Teinberg, whose
 affidavit is hereto annexed, that the horses
 of deponent and said Teinberg will be
 poisoned, that said Joseph Peck made
 similar statements and threats in presence
 of Max Zimmerman and Samuel Teinberg.
 That Simon Dushkin, whose affidavit
 is hereto annexed, who is employed in
 the stable where said horses were kept,
 saw the said Joseph Peck loitering in
 said stable near the said horse, on the

0534

night of August 18th 1853, at about
half past ten o'clock at night,
and sworn to before me } May ^{his} Kupper
this 21st day of August 1853. } mark -

John K. Woodie
Police Justice

0535

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

Rosa Zimmerman
aged 25 years, occupation house keeper, — of No. 34 Chrystie — Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Max Kupper
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 21st day of August 1893 } Rosa her Zimmerman
mark

John Kellough Police Justice.

0536

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 25 years, occupation Rebecca Feinberg
housekeeper of No. 36 Chrystie
Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Max Kupper
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 21st day of August 1893 } Rebecca Feinberg
mark

John P. Wood Police Justice.

0537

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 26 years, occupation tailor. of No. 34 Chrystie Street, being duly sworn, deposes andsays, that he has heard read the foregoing affidavit of May Krupper,
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.Sworn to before me, this 21st day
of August - 1893.May Zimmerman
mayJohn P. Woodis Police Justice.
People Ex I

0538

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

Bamett Teinberg,
 aged 22 years, occupation driver. — of No. 34 Chrystie —
 Street, being duly sworn, deposes and
 says, that he has heard read the foregoing affidavit of Max Kupper
 and that the facts stated therein on information of deponent are true of deponent's own
 knowledge.

Sworn to before me, this 21st day
 of August — 1893.

Bamett Teinberg
signature in Hebrew letters.

John P. Woodley Police Justice.

0539

CITY AND COUNTY }
OF NEW YORK, } ss.

1021

Simon Dushkin
aged 21 years, occupation laborer, of No.

9 Morris Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Max Kupper,

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

Sworn to before me, this 21st day
of August - 1893 }

Simon Dushkin
man

John R. Woodhull Police Justice.

0540

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this

day of August 1893

Police Justice.

Court of General Sessions of the Peace

517

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Joseph Peck

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

Joseph Peck

of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said *Joseph Peck*,

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

of the value of two hundred
dollars,

of the value of

of the goods, chattels and personal property of one *May Turner*, then and there being, then and there feloniously did unlawfully and wilfully *kill and*

destroy, by then and there giving and
administering into the said horse a quantity
of a certain deadly poison to the said horse
with intent that the said horse should take and swallow the same
and there well knowing the same to be
deadly poison, which said poison the said horse
then and there took and swallowed down into its
stomach, and in consequence thereof, then and there became and
was mortally sick and diseased and of said mortal sickness and disease
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.

Stephen M. Hall
District Attorney

0542

BOX:

534

FOLDER:

4864

DESCRIPTION:

Perise, Pietro

DATE:

09/29/93



4864

0543

Witnesses:

Rosa Funes
Cristina Funes
In Mangi

Counsel,

Filed 29 day of Sept 1903

Pleaded Guilty

THE PEOPLE

24
297. Motion
for habeas
Pietro Pirra

Original
[Seal of the Court]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Geo. Bloomer Dale

Part 3. Oct 25/03

Pleaded guilty - Foreman.

5. 10 one year

Ch 353

0544

Police Court, District

(1858)

City and County } ss.
of New York,

of No. 35 Broome Street, aged 52 years,

occupation Lapidary being duly sworn, deposes and says,

that on the 14 day of September 1893 at the City of New

York, in the County of New York one Cecilio Perisse

(now here), did willfully, unlawfully and feloniously commit the crime of Bigamy for the reason that having a wife living and not being divorced did marry Clementina daughter in the City Hall of said City, at the time representing himself to be single and free to marry for the reason that subsequent to the marriage agreement was informed by Joseph Mangione and Victoria Mangione of 318 East 11th Street that about seven years ago they were present at the marriage of Perisse to an Anna. Address in the town of Annetto up Italy and that said Perisse has not since been divorced

his Y
Cecilio Perisse
deposes

Subscribed and sworn to before me
this 14th day of September 1893
John J. Ryan
Police Justice

0545

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 45 years, occupation Robert of No. 318 East 11th Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Proco Tucco and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me this, 4th
day of Sept 1897

John Ryan
Police Justice.

his
Joseph Mangano
emanc

0546

CITY AND COUNTY }
OF NEW YORK, } ss.

Victoria Mangione
aged 44 years, occupation charmer of No. 318 E 11
Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Robert Fused
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me this, 24
day of Sept 189 13

John Ryan
Police Justice.

Victoria Mangione
deponent

0547

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK } ss.*Pietro Perise*

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. *Pietro Perise*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *279 North St. Brooklyn*

Question. What is your business or profession?

Answer. *Boot Black*

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*
Pietro Perise
guilty

Taken before me this
day of *Dec* 1933

John R. Ryan
Police Justice.

0548

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 Alexander

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, Sept 11 189 3 Sam Ryan 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.

0549

1023

Police Court---1---District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Robert Jones
30 Crosby St.
Peter Jones

2

3

4

Offense

Burgamy

Dated *Sept 24* 189

Ryan Magistrate.

Shaw Officer.

10 Precinct.

Witnesses *Joseph Victoria*

Thangius Street.

318 E 11

No. Street.

No. Street.

No. Street.

\$ *3000* to answer *G.D.*

M

10303

BAILED,

No. 1, by

Residence Street.

No. 2, by

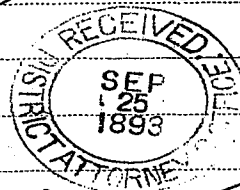
Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.



(455)

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Pietro Perise

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

indictment accuse *Pietro Perise* —

of the crime of *Bigamy*, —

committed as follows:

The said *Pietro Perise*,

late of the City of New York, in the County of New York aforesaid, on the
~~fourteenth~~ day of ~~September~~, in the year of our Lord one thousand
eight hundred and ninety-~~three~~, — at the City and County aforesaid,

then having a wife living, to wit: one
Anna Addino, did feloniously marry one
Victoria Tusco, and then the said *Victoria*
Tusco then and there bore for his wife;
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

Indorsed twice

Attorney

0551

BOX:

534

FOLDER:

4864

DESCRIPTION:

Persons, Thomas A.

DATE:

09/08/93



4864

0552

Witnesses:

Geo. F. Garner,

Counsel,

Filed

8th day of *Sept*

1893

Pleads,

32
33574

THE PEOPLE

vs.

Thomas A. Persons

Grand Larceny, Second Degree.
[Sections 528, 537, Penal Code.]

Sept 11
BY FANCEY NICOLL,

District Attorney.

A TRUE BILL.

Ed. Bloomington
No 67

Foreman.

Keenan & Sons
300 days C. & S. Prison

0553

Police Court

2 District.

Affidavit—Larceny.

City and County }
of New York, } ss:of No. 231. Wagon 32 Street, aged 31 years,
occupation Nurse cleaner being duly sworn,deposes and says, that on the 26 day of August 1893 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the day time, the following property, viz:One coat and vest of
the value of twenty eight
dollars.

(\$28.00)

the property of Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by Minnie Benson (prophet)for the following reasons to wit
that the defendant was the
only person that had access
to the said property from the
time deponent saw it until he
discovered it was missing that
deponent then caused the arrest
and the defendant was in
open court acknowledged that
he feloniously took, stole
and carried away the said
property

Geo. F. Gorman

Sworn to before me this

of

1893

Police Justice.

0554

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas Persius

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.

Thomas Persius

Question. How old are you?

Answer.

32 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

330 West 41 St

Question. What is your business or profession?

Answer.

House cleaner

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
Thomas A Persius*

Taken before me this
day of *July* 188*9*

Police Justice.

[Signature]

0555

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

Superior
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Five* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.
Dated *July 27* 18*93* *[Signature]* Police Justice.

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

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

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

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

0558

9
Police Court--- 2 District 903

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George F. Turner.
231 vs. 27 32
Thomas. Persons.

2
3
4

Small Lumber
Office

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

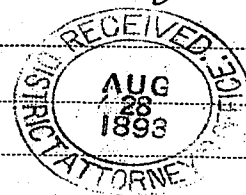
Dated *Aug 27 1893*
Hogden Magistrate.

Wynell Officer.
16 Precinct.

Witnesses *Call Person*
No. _____ Street.

No. _____ Street.

No. _____ Street.
\$ *1.000* to answer



No 67
Comm

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 A. Persons

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

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

The said

Thomas A. Persons

late of the City of New York, in the County of New York aforesaid, on the *26th*
day of *August*, in the year of our Lord, one thousand eight hundred and
ninety-~~three~~ at the City and County aforesaid, with force and arms,

*one coat of the value of
twenty dollars and one vest
of the value of eight dollars*

of the goods, chattels and personal property of one

George F. Garner

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

0558

BOX:

534

FOLDER:

4864

DESCRIPTION:

Piccirillo, Carmine

DATE:

09/29/93



4864

0559

Witnesses:

Mary Sculo
Emilio Sculo.

Part III, October 10, 1893

I have examined the
father and mother of the
girl said to have been
raped and find that
she was born in May
1876 and is now over
17 years of age, and
conviction can be
had recommending
that the deft, who is
anxious to marry
Emilio Sculo, be
discharged on his
own recognizance
St. Macdonald
test

347
Counsel,

Counsel,

Filed 29 day of Sept 1893

Pleads *guilty*

THE PEOPLE

vs.

Carminio Siciliano

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Ed. Bloomington

Part 3, October 10/93-

Deft discharged on
his verbal recog-
nition 327

RAPE in the 2d Degree and
ABDUCTION.
(Sections 278 and 282, Penal Code.)

0560

CITY AND COUNTY }
OF NEW YORK, } ss.

Amilia Devola

aged 15 years, occupation _____ of No.

118 Mulberry Street, being duly sworn, deposes and

says, that ~~he~~ she has heard read the foregoing affidavit of James Falla

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

Sworn to before me this, 20th

day of September 1893

Amilia + Devola
mark

[Signature]
Police Justice.

Hiram District Police Court.

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

James Pallas

of Number 297 4th Ave being duly sworn,
deposes and says, that on the 20th day of September 1893, at the
City of New York, in the County of New York, that he has been
informed by Emilia Penola, and has just
reason to believe and does believe, that
on the 15th day of September 1893, at the
premises known as 118 Mulberry St, in said
City of New York, one Carmine Pecirillo,
now here, did unlawfully and wilfully
perpetrate an act of Sexual intercourse
with a certain female called Emilia
Penola, now here, said female being
then and there under the age of sixteen
years, & wit. of the age of fifteen years,
not being his wife, in violation of the
Statute in such case made and
provided, and especially of Section
278 of the Penal Code of the State of
New York.

Wherefore the complainant prays that the said Carmine Pecirillo

may be apprehended, arrested and dealt with according to law.

Sworn to before me, this 20th

day of September 1893

James Pallas

Manhattan

Police Justice.

0562

Sec. 198-200

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Carmino Pecerillo 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.

Carmino Pecerillo

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

Italy

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

Answer.

88 Mulberry St 2 years

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 am not guilty**Carmino Pecerillo.*

Subscribed before me this
day of *Sept* 19*13*
Charles J. Miller

Police Justice

0563

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
Lu guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *100* 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, *Sep 20* 189*3* *James Martin* Police Justice.

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

Dated, *Sep 20* 189*3* _____ 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.

0564

150

Police Court---

1024

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Pallas
297 4th St
Carmine Pecorillo

2
3
4

Rape
Abduction
Offense

Dated, *September 20* 189*3*

Mark Magistrate.

Connell Officer.

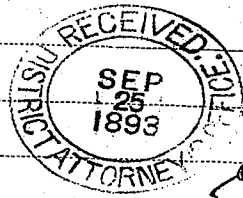
Precinct.

Witnesses *Emilie Senolo*

No. *118 Mulberry* Street.

No. _____ Street.

No. _____ Street.
to answer *G. S.*



Committee
No 347

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

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

2048

THE PEOPLE OF THE STATE OF NEW YORK,

against

Carmine Piccirillo

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse *Carmine Piccirillo* of the CRIME OF RAPE IN THE SECOND DEGREE, committed as follows:

The said *Carmine Piccirillo* late of the City of New York, in the County of New York aforesaid, on the day of *September* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, in and upon a certain female not his wife, to wit: one *Emilia Scuola* feloniously did make an assault, she the said *Emilia Scuola* being then and there a female under the age of sixteen years, to wit: of the age of *fifteen* years; and the said *Carmine Piccirillo* then and there (under circumstances not amounting to rape in the first degree), feloniously did perpetrate an act of sexual intercourse with her the said *Emilia Scuola* 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 *Carmine Piccirillo* of the CRIME OF ABDUCTION, committed as follows:

The said *Carmine Piccirillo* late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did feloniously take, receive, harbor, employ and use her, the said *Emilia Scuola* so being then and there a female under the age of sixteen years, to wit: of the age of *fifteen* years, as aforesaid, for the purpose of sexual intercourse, he, the said *Carmine Piccirillo* not being then and there the husband of the said *Emilia Scuola* 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

0566

BOX:

534

FOLDER:

4864

DESCRIPTION:

Pichot, Augustus

DATE:

09/08/93



4864

0567

Witnesses:

Ernest Girard

63

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

Augustus Pichob

DE LANCEY NICOLL,

District Attorney.

Burglary in the Third Degree.

[Section 498, N.Y. Cr. L. 1892, § 1.]

A TRUE BILL.

E. W. Bloomingdale

Part 2, Sup. Ct. 1893. Foreman.

Indictment and Acquittal

No 63

0568

Police Court—2 District.City and County }
of New York, } ss.:of No. 159 South Avenue Street, aged 45 years,
occupation Wholesale Wine Dealer being duly sworndeposes and says, that the premises No 159 South Avenue Street,
in the City and County aforesaid, the said being a four story brick dwellingbasement floor of
and which was occupied by deponent as a Wine house
and in which there was at the time a human being, by name Concewere **BURGLARIOUSLY** entered by means of forcibly opening the
door leading from the hallway into
said apartmenton the 19 day of August 1888 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:Good and lawful money to the
amount of thirty five centsthe property of Deponentand deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen (and carried away by
Augustus Pichor (nowhere)

for the reasons following, to wit:

that deponent saw the
defendant enter the said premises
as aforesaid and was about leaving
the said premises when deponent apprehended
that the said sum of money was missing
from the cash drawer in the cruet in
said premises
E Girard

Police Officer

0569

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Augustus Pickett 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.

Augustus Pickett

Question. How old are you?

Answer.

48 years.

Question. Where were you born?

Answer.

France

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

Answer.

117, South Avenue, 2 years

Question. What is your business or profession?

Answer.

Dyer

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.

*Am not guilty**Witness*

Taken before me this

day of

188

Police Justice

0570

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

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

Dated, *May 19 1893* _____ 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.

057

Police Court

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Ernest Edward
159-9th Ave
Augustus Pichot

2
3
4

Ernest Edward

Dated,

Aug 14 189*3*

Magistrate.

Officer.

Precinct.

Witnesses

Call Officer

No.

Street.

No.

Street.

No.

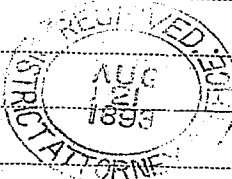
Street.

\$

1000

to answer

No. 63



GL

Brown
pt

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Augustus Pichot

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

Augustus Pichot

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

The said

Augustus Pichot

late of the 16th Ward 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-~~three~~, in the *day*—time of the same day, at the
 Ward, City and County aforesaid, a certain building there situate, to wit, the *Building* of
 one *Ernest Gerard*

there situate, feloniously and burglariously did break into and enter, with intent to commit some
 crime therein, to wit: with intent the goods, chattels and personal property of the said

Ernest Gerard in the said *building*

then and there being, then and there feloniously and burglariously to steal, take and carry away,
 against the form of the statute in such case made and provided, and against the peace of the
 People of the State of New York and their dignity.

SECOND COUNT—

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

Augustus Pichol

of the CRIME OF *Pick* LARCENY

committed as follows:

The said

Augustus Pichol

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the *day* time of said day, with force and arms,

divers coins of the United States of America, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of thirty-five cents

of the goods, chattels and personal property of one.

Ernest Girard

in the

x building

of the said

Ernest Girard

there situate, then and there being found, in the *building* aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Lancey Nicoll
District Attorney

0574

BOX:

534

FOLDER:

4864

DESCRIPTION:

Pratt, George

DATE:

09/12/93



4864

Witnesses:

off Lang

Counsel,

Filed

day of Sept 1893

Pleas,

18 THE PEOPLE

662 Ave. - 08.

of Chicago

George State

Forgery in the Second Degree.
(Sections 611 and 621, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

Sept. 29/93 9913-

A TRUE BILL.

Det. Bloomberg

Sept 2 - Oct. 19 1893 Foreman.

Ind and Committed

27th Run 13

Oct 80.

Part II - Oct 17/93 8041

COURT OF GENERAL SESSIONS OF THE PEACE,

City and County of New York.

The People,

vs.

GEORGE PRATT.

Before,

HON. JAMES FITZGERALD,

and a Jury.

Tried, OCTOBER 18TH, 1893.

Indicted for FORGERY, in the SECOND DEGREE.

Indictment filed, SEPTEMBER 12TH, 1893.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY STEPHEN J. O'HARE,

For THE PEOPLE.

MR. JAMES W. McLAUGHLIN,

For THE DEFENSE.

0577

2

EDWARD MAHLER, called by the People, being duly sworn, testified that he was in the jewelry business, at 662 Sixth avenue, in the city of New York. He repaired watches. On the 24th of August, 1893, he had a watch in his possession belonging to a Mrs. Smith, who lived, at that time, at 33 West 38th street. The watch was worth \$60.00 or \$65.00. That was the only watch that he had belonging to anybody by the name of Smith at the time. About 3 o'clock in the afternoon, the defendant went into his store and asked if the watch was ready for Mr. Smith. He asked the defendant who left the watch, and the defendant said, "Mr. Smith." He said to the defendant that the watch was not quite ready, that he would have to leave it until the next day. He, the witness thought there was something wrong, and he wanted time to think it over. In about fifteen minutes the defendant returned with a note. He, the witness, read the note, and then he looked at the watches. He then walked back to his clerk and told him to go for a police officer, and he went to the door and

held it shut. The defendant struggled to get out, but he did not get out. In a few minutes the police officer arrived. He told the officer that the defendant had presented an order for a watch, and that there was no such watch there. The defendant then said that he had been sent there by a man at the Hotel New Netherlands. The defendant snatched the note out of his, the witness's, hand, but he regained possession of it. The defendant threatened to throw him through the window, if he didn't let him alone.

EMMA L. SMITH, being duly sworn, testified that she lived at 1,293 Madison avenue. On the 24th of August, 1893, she lived at 33 West 38th street. About a week prior to the 24th of August she had left a watch, belonging to her mother, with Mr. Mahler, to be repaired. Her mother was very ill at that time, and died on the 24th of August. She knew that on that day her mother did not anything to anybody. She was familiar with her mother's hand-writing, and the note in

evidence was not in her mother's hand-writing.

In cross-examination the witness testified that her mother's name was Mrs. C. L. Young. When she, the witness, took the watch to the watch-maker's she left her own name there -- Mrs. Henry F. Smith. She did not sign the order in evidence.

OFFICER HENRY GREGG, being duly sworn, testified that he was attached to the 19th police precinct. In consequence of information that he received, on the afternoon of the 24th of August, he went to Mahler's, 662 Sixth avenue. He found Mr. Mahler and the defendant struggling in the store. Mr. Mahler said that the defendant had called for a watch earlier in the day, and that he afterward called for the watch with a note. The defendant said that a gentleman of the name of Smith had given him the note, at the Hotel New Netherlands. He took the defendant to the station house. Detective Lang took up the investigation then, and took the defendant to the court.

0580

5

ADAM LANG, being duly sworn, testified that he was assigned to special duty in the 19th police precinct. The defendant was turned over to him about 4 o'clock on the afternoon of the 24th of August. The defendant told him that a man by the name of Smith, at the Hotel New Netherlands, gave him the note. He went up to the hotel and made inquiries. He took the defendant to the Police Court the next morning and had him remanded. That morning, the defendant said to him, "Now, don't be hard on me; I was never arrested before. I wrote this note."

GEORGE PRATT, THE DEFENDANT, being duly sworn, testified, in his own behalf, that he was a shirt ironer. He had worked in the Clarendon Hotel, at Saratoga. He had been in this country nine months. He had about \$140.00 in his possession when he came to this country; he came to find his mother. He was in New York about six months, and in Saratoga three months. He was eighteen years of age. He had applied for work

at the Hotel Savoy, and then he walked over to Central Park and sat down. A man came up to him and said, "Young man, where do you belong?" He said he was born in England, and the man said, "Will you do me a favor?" He said, "What is it?" The man said, "Go to this address and ask the watch-maker if my watch is finished." He went down to the address which the man gave him and said to the watch-maker, "Mr. Smith sent me down for his watch, if it is finished." The watch-maker said it was not ready. He, the defendant, returned to the gentleman, and told him, and the man told him to follow him. He followed the man and they went into the Hotel New Netherlands. The man came out and said, "Here is a dollar for you," and gave him the letter in evidence. He took the letter to the watch-maker, and the watch-maker wanted to give him the watch, but he would not take it. He did not tell Officer Lang that he wrote the letter.

In cross-examination the defendant testified that he was born on the Isle of Wight. He

knew something about baking, and he had been working six weeks in New York as a baker. He worked in 43 Mott street, for a Mr. Fitzgerald. He lived at 66 Second avenue. He did not tell the clerk in the Police Court that he lived in First avenue. He paid a dollar a week for his room; the land-lady's name was Mrs. McLang, or something like that. He had worked in the Washburn Hotel at Saratoga. He did not spend the dollar that the man gave him. He had his dinner before that. He had the dollar in his pocket at the time of his arrest. He did not write the note in evidence. He had received recommendations from the people for whom he worked, and he had them in court. He was an honest man; he had never been in prison in his life before.

OFFICER GREGG, recalled, in rebuttal, testified that he searched the defendant thoroughly at the time of his arrest. He found some papers and blank checks on him, but no money.

0583



Hotel New Netherland
New York.

Aug. 24,

1893.

Mr. Mahler

Please send my
watch for the bears right
away

Yours truly

F. Smith

0584

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT, DISTRICT.

Adam Lang

of No. 19 W. Meunier Street, aged years,
occupation office being duly sworn deposes and says,
that on the 24 day of August 1883
at the City of New York, in the County of New York, he arrested

George Pratt. Charged
with Attempted Larceny. Deponent
prays that the deponent be held
to answer deponent to produce
a material witness

Adam Lang

Sworn to before me, this

of August

1883

day

Police Justice.

0585

Police Court, 2nd District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

375-

vs.

George Pratt

AFFIDAVIT

Attest

Exhibit 3 p.m.
Aug 25th 1893-

[Signature]

Dated Aug 1893

H. J. [Signature] Magistrate.

[Signature] Officer.

Witness, _____

Disposition, _____

0586

Police Court

District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Edward Mahler
of No. 66 1/2 Sixth Avenue Street, aged 36 years,
occupation Jeweler being duly sworn,
deposes and says, that on the 24th day of August 1893 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 City time, the following property, viz:

My Gold watch valued at
about Sixty dollars
\$ 60 00

the property of

Mrs H. F. Smith in the care 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 George Pratt (number)
from the fact that deponent had said watch in his care for the purpose of repairing it. That defendant came into said premises and presented the order hereto annexed and informed deponent that he had been sent for said watch by said person named Smith. Deponent believing such statement to be untrue caused the defendant's arrest by Officer Lang. Said officer informs deponent that he called said Mrs Smith and that she informed said officer that she did not wish said order and that she did not know or send defendant for said watch.

Edward Mahler

Sworn to before me, this

of

August

1893

day

Police Justice.

0587

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

George Pratt 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.

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.

I am not guilty
- George Pratt.

Taken before me this

day of

August

188

Police Justice

0588

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 *1000* 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, *August 15* 189 *3* _____ 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.

0589

P.O. 902
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward Wheeler
662. 6 Ave
George Pratt

1
2
3
4

Offense
Larceny

Dated, August 25th 1893

Hogan Magistrate.

Lang Officer.

19th Precinct.

Witnesses Mrs H. F. Smith

No. 33 W 35th 92nd Madison Street

Call to Officer

No. Henry G. Smith Street.

19th Precinct

No. 19th Precinct Street.

\$ 5.00 to answer 9.5

1893

1893

1893

1893

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0590

Court of General Sessions of the Peace

1721

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 FORGERY IN THE SECOND DEGREE, committed as follows:

The said

George Pratt

late of the City of New York, in the County of New York aforesaid, on the *twenty-fourth* day of *August* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, with intent to defraud, feloniously did forge a certain instrument and writing, which said forged instrument and writing is as follows, that is to say:

*Hotel New Netherlands
New York*

Aug 24 1893

*Mr Mahler -
Please send my
watch for the bearer right
away.*

*Your truly
J. Smith*

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

SECOND COUNT—

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

George Pratt
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said

George Pratt
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 intent to defraud, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, which said forged instrument and writing is as follows, that is to say:

Hotel New Netherland
New York.

Aug. 24, 1893.

Mr. Mahler —

*Please send my
watch for the bearer right
away*

Yours truly
J. Smith

the said

George Pratt

then and there well knowing the same to be forged, 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.

0592

BOX:

534

FOLDER:

4864

DESCRIPTION:

Pulski, Abraham

DATE:

09/13/93



4864

0593

Witnesses:

off Hunter

Joseph has been
taken in New
York City
Kearney

I believe plea of petty larceny
should be accepted because of
the doubt of proving property. The
taken in excess of \$25. The
property was at once recovered
Sept 19/93 Stephen J. O'Hara
District Attorney.

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

Abraham Bulski

Grand Larceny, second Degree.
[Sections 528, 531 Penal Code.]

Part 3 - Sept. 19 1893
Pleads C. L.
DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Edw. Boomingdale

John J. O'Hara, Foreman.

0594

Police Court—1st District.

1912

Affidavit—Larceny.

City and County } ss.
of New York, }of No. 237 E 43^d Street, aged 30 years,occupation Shoe Shiner being duly sworn,deposes and says, that on the 5th day of September 1899 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:

Eight pounds of Gold
Mini pins
Being together of the value of
Forty Dollars

the property of Ferdinand Manpi, ex Alexander
Schmidt, Importers in business

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 Michael Telski (nowhere)

for the reasons following to wit
 on the aforesaid day aforesaid
 for said property in a wagon in
 Pan at New York he left standing
 there, and when he returned he found
 said property gone. Dependent is
 informed by Charles Weissmantel
 of 138 Elm Street that he saw said
 defendant take said property from
 said wagon and run away with
 the same and pursued them and
 caused him to be arrested with
 said property in his possession
 which deponent fully identifies as
 being his, and he charges him with
 the larceny aforesaid.

Ferdinand Manpi

Sworn to before me, this
5th day of September 1899

James J. [Signature]
 Police Justice

0595

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles Weiss mantle
aged 41 years, occupation Carpenter of No.
138 Elm Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Fernand Haupt
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me this, 3rd
day of September 1899

Amundt
Police Justice.

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Abraham Pulski 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. *Abraham Pulski*

Question. How old are you?

Answer. *32 years.*

Question. Where were you born?

Answer. *Poland*

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

Answer. *10 Essex Street, Queens.*

Question. What is your business or profession?

Answer. *Peedder*

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*

Abraham Pulski
his
mark

Taken before me this

Any of the undersigned

Police Justice.

0597

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 _____

Legend
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *Leop* 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, *Sept 8th* 189 *3*

William
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.

0596

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

113 Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Terrence J. ...
vs. *232 E 43d*
Abraham ...

2 _____

3 _____

4 _____

Dated *Sept 8* 189

M. ... Magistrate.

... Hunter Officer.

10 Precinct.

Witnesses _____

No. _____ Street.

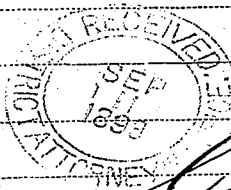
No. _____ Street.

No. _____ Street.

\$ *1000* to answer

Committed

cto 147



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

THE PEOPLE OF THE STATE OF NEW YORK

against

Abraham Pulski

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

Abraham Pulski

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

The said

Abraham Pulski

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

*eight pounds of sheer silk
of the value of five dollars
each pound*

of the goods, chattels and personal property of one

Ferdinand Maupai

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.*

0600

BOX:

534

FOLDER:

4864

DESCRIPTION:

Purvis, George R.

DATE:

09/13/93



4864

0601

Witnesses:

Peter F Keegan
Mary E Hart

125.

ordered

Counsel,

Filed,

day of

189

Pleads,

THE PEOPLE

vs.

George R. Purvis

19
706 Columbus St

DE LANCEY NICOLL,

District Attorney.

Grand LARCENY, 2nd degree
(False Pretenses)
[Section 528, and 534 Penal Code.]

A TRUE BILL.

E. J. Downing

Sept 14/93

Foreman.

Heard J. J. Day

El Ref J. J. Day 21/93

0602

OFFICE OF
J. L. CHAPIN,
Electric Lighting and Ventilating,
34 OLINTON PLACE.

TELEPHONE CALL
310 SPRING.

New York, Sept. 16th 1893

Mrs. M. R. Purvis
706 Columbus Ave
City.
Dear Madame.

My acquaintance with
George R. Purvis lasted for two
Winters. I was Warden of the
Knights of Temperance connected
with the Church of Zion & St. Timothy.
He was one of the Members. I always
thought very highly of him, and
our intercourse was a very
pleasant one. I am sorry to hear
that he is in trouble, and think
he must have been led away
by bad companions.

Yours sincerely
J. L. Chapin

0603

Telephone 3080 Cortlandt.

Office of
Charles N. Judson,

Counselor at Law,

7 Nassau Street,

New York.

September 18, 1893.

Judge Fitzgerald,
General Sessions, Part II,
New York.

Dear Sir:

I am told that George R. Purvis will be brought before you on Thursday for sentence for forgery. I am not interested in him except in a general way, but in that way and having regard both for his own welfare and what I believe to be for the public good, I am induced to step out of my usual course and say a word. He was in my office as office boy about two years ago. I found him very capable indeed. I set him at work to make a condensation of an expert's testimony in a patent case on fountain pens. It was a case in which the testimony was extremely intricate and technical, but he did his work with great skill and had he not been led away by bad company, in my judgment, would have made a good lawyer. If it be possible to put him in such a condition as will keep him out of bad company and under some sense of responsibility, I believe it will best serve both the state and him. There used to be a way of suspending sentence or paroling a man in the custody of his counsel. If such a thing be possible and Purvis could be put into it, I think the public will never

0604

have cause to regret it. If Mr. Grubner, whom I understand represents him as counsel, could be induced to assume the responsibility I think the Court will have one jailer at least who will not fail to give it satisfaction. I picked Purvis out from among some hundreds of boys who answered my advertisement. I made no mistake then - I don't think I am mistaken in this. I believe him to be worth saving.

Very respectfully yours,

Charles T. Johnson

(Dictated.)

0605

New York Oct. 12. 1891.

Expense Reports changed by me

					Difference
#3528.	^{N.C. Book.} 427	changed from	10¢ to	\$1.90	1.80
4033.	453	"	" 10¢ "	1.90	1.80
4228.	465	"	" 36¢ "	.96	.60
4381.	473	"	" 20¢ "	2.60	2.40
4400.	473	"	" 20¢ "	.90	.70
4465.	477	"	" 20¢ "	1.20	1.00
4531.	481	"	" 10¢ "	.90	.80
4594	483	"	" 90¢ "	1.90	1.00
4661	489	"	" 20¢ "	2.20	2.00
4845	497	"	" 10¢ "	.40	.30
4891.	501	"	" 45¢ "	2.75	2.30
5070	509	"	" 15¢ "	.45	.30
5042	507	"	" 20¢ "	2.00	1.80
5078	509	"	" 10¢ "	.40	.30
5143	513	"	" 20¢ "	1.20	1.00
5154	513	"	" 10¢ "	.90	.80
5186	515	"	" 30¢ "	1.30	1.00
5200	517	"	" 10¢ "	.40	.30
5219	519	"	" 10¢ "	.60	.50
5276.	521	"	" 20¢ "	2.00	1.80
5324.	525	"	" 10¢ "	.90	.80

and I promise to pay amount to N.Y. Photograph Co. \$23.30
Geo. Purvis

0607

In Re

dictated.

ABRAHAM GRUBER,
Attorney and Counsellor at Law,
TIMES BUILDING,
41 Park Row,

New York, September 5th, 1893. 189

To The District Attorney,
New York County.

Dear Sir/

Please take notice that I will appear as attorney for George Purvis, held for the action of the Grand Jury on August 16th last. Will you please have my name endorsed on the papers as Purvis' attorney and send me notice of the time when he will be called upon to plead?

Yours very truly,

Abraham Gruber

Papers received here

Aug. 21

not indicted

0608

76 York Aug 12th 1893
Signature incorrect
did not funds
National Bank
Pay to the order of Rogers, Peet & Co.
Two Hundred Dollars,
\$ 200.⁰⁰/₁₀₀ Mary E. Hart 4/8
PUSEY & TROXELL, PRINTERS, 1396 AND 1398 BROADWAY, N. Y.

0609

New York *Aug 12th 1893*

I have National Bank

Pay to the order of Rogers, Peet & Co.

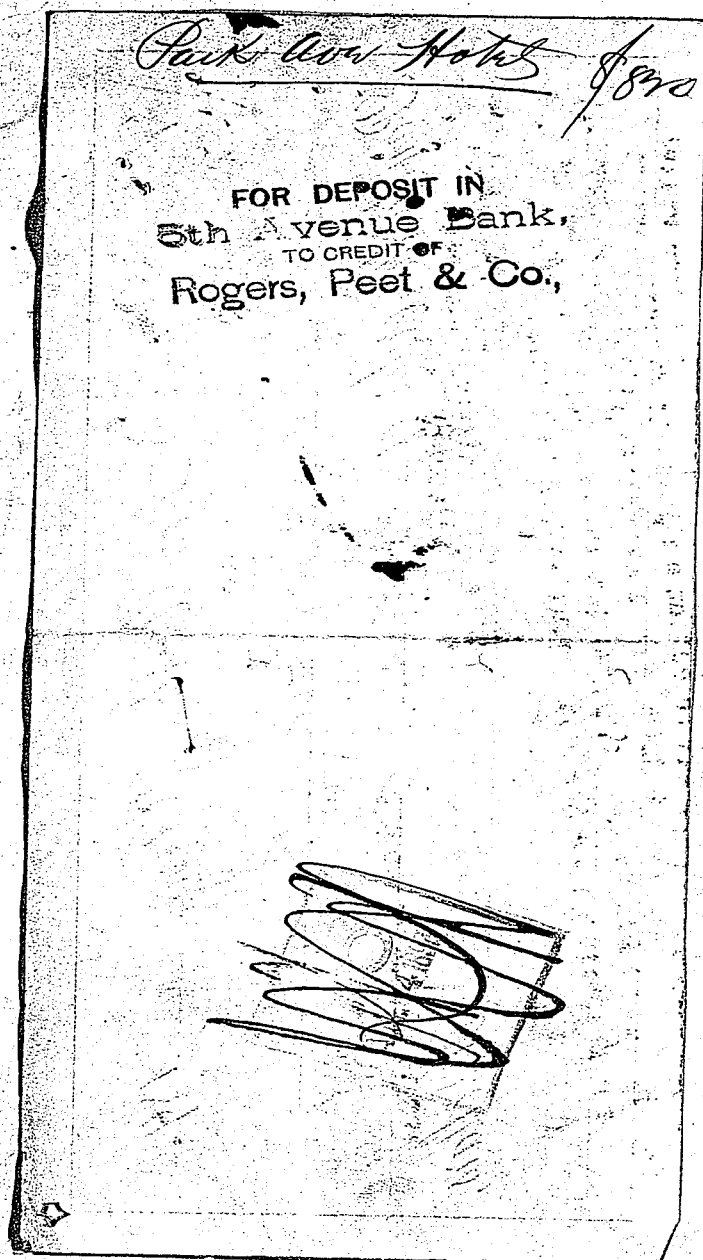
Two Hundred *Dollars,*

Mary E. Hart

\$ 200.⁰⁰/₁₀₀

PUSEY & TROXELL, PRINTERS, 1396 AND 1398 BROADWAY, N. Y.

06 10



0611

1877

CITY AND COUNTY }
OF NEW YORK, } ss.

Mary E. Hart
Nore of No.

aged 21 years, occupation

Park Avenue Hotel Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Pete J. Keegan
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this

day of August 1899

Mary E. Hart

[Signature]
Police Justice.

0612

Police Court

District.

Affidavit—Larceny.

City and County }
of New York, } ss:of No. Ryzen Beet & Co. (3257 10th St.)
occupation Club Peter J. Keegan Jr.
Street, aged 22 years,
being duly sworn,deposes and says, that on the 17 day of August 1899 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:

a quantity of clothing of the value
of fifty nine dollars and eight
cents. and cash amounting to sixty
four dollars and eighty seven cents
of the value of one hundred and twenty
three dollars and ninety five cents \$123.95
the property of Ryzen Beet & Co.
Deponent care

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by

George R. Purvis,
(not arrested) The Defendant came
to the store of Ryzen Beet & Co. at
the corner of Thirty Second Street and
Broadway on said date, and obtained
the said property by means of a worthless
check recently annexed, purporting to be
drawn by Mary E. Hart, and Defendant
represented that he was the brother of the
said Mary E. Hart, and that he
would pay a bill of seventy six dollars
and five cents, due by the said Mary
E. Hart, and he also falsely represented
that he was the brother of the
said Mary E. Hart. The said

Sworn to before me, this

of

189

day

Police Justice.

check which was for Two hundred dollars
 was returned not paid by the said
 Chase National Bank, and deponent
 is informed by the said Mary E. Hart
 that she has no account in the
 said Chase National Bank; that
 the defendant is not her brother
 and that she did not send him to the
 said bank as he represented. Deponent
 asks that defendant be arrested
 and held to answer said charge.

Given & sworn to this
 18th day of August
 1893

[Signature]
 City Clerk

[Signature] Peter Keegan Jr

0614

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Geo R Purvis

Taken before me this
day of

188

Police Justice.

06 15

1847

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 any Marshal or Policeman of the City of New York:

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 Pete J. Keegan Jr
of No. Rogers Street Street, that on the 12 day of August
1897, at the City of New York, in the County of New York, the following article, to wit:

and cash

clothing

of the value of One hundred and twenty three Dollars, 84/100
the property of Rogers Street
was taken, stolen and carried away, and as the said Complainant has cause to suspect, and does
suspect and believe, by Geo. P. Harris

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command
you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the
said Defendant and forthwith bring him 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 12 day of August 1897

[Signature]

POLICE JUSTICE.

06 16

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
Wesley ~~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, *Aug 21* 189 *W. H. Law* 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.

061

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

100
Police Court---

880
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Peter J. Keegan
322 St. J. Bway
Gen. R. Purvis

2 _____

3 _____

4 _____

Offense

Murder

Dated, Aug 20 1890

Magistrate.

Officer.

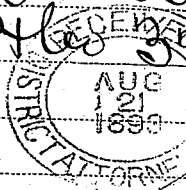
Precinct.

Witnesses Mary S. Hall

No. 40 Bway Street.

No. R. Purvis Street.

No. 200 to answer



010125

0618

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 A. Currie

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

George A. Currie

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

The said *George A. Currie*,

late of the City of New York, in the County of New York aforesaid, on the *Twelfth* day of *August*, in the year of our Lord one thousand eight hundred and ninety-*Three*, at the City and County aforesaid, with force and arms, with intent to deprive and defraud *William R. H. Martin and Frank R. Chauders, co-partners, then and there doing business in and out the firm, name and style of Rogers, Peet 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*

William R. H. Martin and Frank R. Chauders,

That *the said George A. Currie* was the brother of one *Mary E. Hart*, who was then indebted to the said *firm* in the sum of *seventy six dollars and five cents*; that a certain paper written in the words and figures following, to wit:

New York Aug 12th 1893
Please National Bank,
Pay to the order of Rogers, Peet & Co.
Two Hundred Dollars,
Mary E. Hart
\$200.00/100

which she the said George R. Purvis
then and there produced and delivered
to the said co-partners was then and
there a good and valid order for the
payment of money and of the value
of two hundred dollars; that she
same had been made and signed
by the said Mary E. Hart, and that
the said Mary E. Hart then had an
account with the Chase National Bank
in said city, and a credit in said
bank to the amount of one two
hundred dollars against which she was then
entitled to draw; and that the said George R. Purvis was
then authorized by said Mary E. Hart then and there to deliver the
said paper money to the said John, and thereunto to pay her
said money to the said John, and thereunto to pay her
said money to the said John, and thereunto to pay her
said money to the said John, and thereunto to pay her
By color and by aid of which said false and fraudulent pretenses and representations, the said

— George R. Purvis. —

did then and there feloniously and fraudulently obtain from the possession of the said William R. M. Martin and Paula R. Phantoms, a quantity of clothing of the value of fifty nine dollars and eight cents, and the sum of sixty four dollars and eighty seven cents in money, lawful money of the United States of America, and of the value of sixty four dollars and eighty seven cents.

of the proper moneys, goods, chattels and personal property of the said William
R. H. Martin and Grada R. Saunders,
with intent to deprive and defraud the said William R. H. Martin
and Grada R. Saunders. —

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 George A. Purvis was not the brother of the said Mary E. Stat, and the said paper writing which the said George A. Purvis so as aforesaid then and there produced and delivered to the said respondents was not then and there a good and

valid order for the payment of money, and was not of the value of two hundred dollars, or of any value, but was wholly worthless; and the same had not been made or signed by the said Mary E. Hart, and the said Mary E. Hart did not then have an account with the said Chase National Bank, and did not then have a credit in the said bank to the amount of over two hundred dollars, against which she was then entitled to draw; and the said George R. Quinn was not then authorized by the said Mary E. Hart then and there to deliver the said paper writing to the said firm, or thenceforth to pay her said indebtedness, or to obtain from the said firm anything to the value of fifty nine dollars and eight cents, and receive the difference in cash.

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said George R. Quinn

to the said William R. H. Martin and Frank R. Chambers was and were then and there in all respects utterly false and untrue, as the said

George R. Quinn

at the time of making the same then and there well knew;

And so the Grand Jury Aforesaid, do say that the said

George R. Quinn,

in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods, chattels and personal property of the said William R. H. Martin

and Frank R. Chambers,

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.