

0695

BOX:

429

FOLDER:

3960

DESCRIPTION:

Abrahams, Joseph

DATE:

03/16/91



3960

0696

254

Charles B. Row

Witnesses;

Victor Grand

Counsel,

Filed

1891

Pleads,

THE PEOPLE

vs.

B

Joseph Abrahams

*Sent to special sessions
July 14, 1891*

ASSAULT IN THE THIRD DEGREE.
(Section 219, Penal Code.)

DE LANCEY NICOLL,
JOHN R. FELLOWS

District Attorney.

A True Bill.

Alfred J. Ramsey

Foreman.

0697

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Joseph Abraham

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

Joseph Abraham

of the CRIME OF ASSAULT IN THE THIRD DEGREE, committed as follows.

The said *Joseph Abraham*

late of the City of New York, in the County of New York, aforesaid, on the *22nd*
day of *March*, in the year of our Lord one thousand eight hundred and
nineteen, at the City and County aforesaid, in and upon the body of one *Victor*
Grand, in the peace of the said People then and there being, with force
and arms, unlawfully did make an assault, and *in* the said *Victor*
Grand, did then and there unlawfully beat, wound and ill-treat, to the great damage
of the said *Victor Grand*, against the form of the
statute in such case made and provided, and against the peace of the People of the State of
New York and their dignity.

DE LANCEY NICOLL.

~~JOHN R. FELLOWS,~~

District Attorney.

0698

BOX:

429

FOLDER:

3960

DESCRIPTION:

Agrill, Mary

DATE:

03/12/91



3960

0699

Witnesses:

Wm. Cullen

Counsel,

Filed

12 day of March 1891

Pleads,

De Lancey Nicoll

THE PEOPLE

vs.

B

Mary Agrell

VIOLATION OF EXCISE LAW.
(Selling without license.)
(III, R. S. (7th Ed.) page 1881, § 13, and
of 1883, Chap. 340, § 5.)

DE LANCEY NICOLL

~~THOMAS R. HILLMAN~~

District Attorney.

A True Bill.

Wm. Cullen

Foreman.

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

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST

Mary Agrill

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

Mary Agrill
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES
WITHOUT A LICENSE, committed as follows:

III. Revised
Statutes, [7th
edition] p. 1981
Section 13).

The said

Mary Agrill
late of the City of New York, in the County of New York aforesaid, on the *Fourth*
day of *April* in the year of our Lord one thousand eight hundred and
~~eighty ninety~~, at the City and County aforesaid, certain strong and spirituous
liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one
gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong
and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in
quantity less than five gallons at a time, to

one George Cullum and to

certain *other* persons whose names are to the Grand Jury aforesaid unknown, without
having a license therefor, as required by law, contrary to the form of the Statute in such case
made and provided, and against the peace and dignity of the People of the State of New York.

(Laws of 1883,
chapter 340 sec-
tion 5).

SECOND COUNT—

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

Mary Agrill
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND
BEER WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said

Mary Agrill
late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, and at the premises there situate, known as
number *ninety-four, Cherry Street,*

certain strong and spirituous liquors, and certain ales, wines and beer, to wit: one gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury
aforesaid unknown, unlawfully did sell to

one George Cullum and to

certain *other* persons whose names are to the Grand Jury aforesaid unknown, to be
drank upon the premises aforesaid, without having a license therefor, as required by law,
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.

0701

BOX:

429

FOLDER:

3960

DESCRIPTION:

Allen, James

DATE:

03/03/91



3960

Witnesses:

Ad. Howard L. Lenthal

Off. Kemp

From an Examination
of this Case. I am
satisfied it must
be dropped for
the People to waste
out a Case of Grand
Larceny. The Grand
Jurors are satisfied
to accept
a plea of Not Guilty.
March 10-91
W. H. L. Lenthal

Bill found
Filed 3 day of March 1891
Pleads, Not Guilty &

THE PEOPLE
vs.
James Allen
DE LANCEY NICOLL
Grand Larceny, First Degree.
(Dwelling House.)
[Sections 528, 53 Penal Code]

District Attorney.

A True Bill.

Alfred C. Cramer

Foreman.

March 10-91
J. H. Cramer
17th Ave. N.Y.

0703

Police Court—2 District.

Affidavit—Larceny.

City and County } ss.
of New York,

Howard Lilienthal

of No. 39 East 91 St Street, aged 30 years,occupation Physician being duly sworndeposes and says, that on the 19th day of February 1898 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property viz:

One overcoat
of the value of fifty dollars
\$ 50

the property of Alexander H. Ward and
then in deponent's care

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 James Allen (now here) for

the reason that deponent is informed by Amey Jones (now here) that on said date about
7 50 O'clock P. M. the defendant
came to the front door of said premises
pretending to look for work, and caused
her to leave him alone in the hall while
he sent her away on an errand, and
at that time the said overcoat being

Sworn to before me this

Police Justice.

0704

on a hat rack at the back of the
hall near the office of deponent, about
25 feet from where the defendant was
left standing. Shortly after said Amy
Jones had left the defendant standing near
the door, deponent observed by the shadow
cast by defendant on the glass door of de-
ponent's office that defendant had approached
the back of the hall where the overcoat was.
Then deponent observed by the shadow that
defendant left the back of the hall.
Then deponent opened his office door and
saw the defendant ^{will} open the front door
open and defendant was looking out.
The said overcoat was missed a moment
after defendant left, and deponent
charges the defendant for the reason that
he had access to the said coat, and nobody
else could have taken it, and he is a
person of bad character.

Howard Shierstad

Subscribed and sworn to before me this 24 day

of February 1899

John H. Smith

Notary Public

0705

CITY AND COUNTY }
OF NEW YORK, } ss.

Amy Jones
aged 24 years, occupation Domestic of No.

33 East 31 St Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Howard Schubert
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 February 1890 } Amy Jones

J. H. Smith
Police Justice.

0706

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James Allen 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.

James Allen

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

N.Y.

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

Answer.

121 W. 27 St.

3 months

Question. What is your business or profession?

Answer.

Actor & 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
James Allen

Taken before me this

24

day of *February*

1891

By the Court

Police Justice

0707

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

James Allen
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Three 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.....Jul 24 1881.....John Henry Smith Police Justice.

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

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

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

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

0708

281

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Howard L. Lenthall
33 E. 31 St.
Jan Allen

Lenny
felony
Offence

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated Feb 24 1891

Jord _____ Magistrate.

Kemb _____ Officer.

19 _____ Precinct.

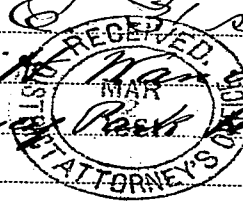
Witnesses Amy Jones

No. 33 E 31 St. Street.

No. _____ Street.

No. _____ Street.

\$ 3rd to answer _____



W
9K
AH

0709

Police Court

District.

Affidavit—Larceny.

City and County } ss:
of New York,of No. 44 West 25th Street, aged 24 years,
occupation Waiter being duly sworn,deposes and says, that on the 15th day of February 1891 at the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
the night time, the following property, viz:One overcoat of the value of
Fifty dollarsthe property of in 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 James Allen (now here) for the reasons that said overcoat was hanging on the hat rack in the hall or vestibule of the above premises. The defendant called at the house about 11 PM on that night and was admitted seeking for work. Deponent was called and interviewed the defendant and after the defendant left said overcoat was missing from said rack. No other person had been admitted from the time the defendant left until said overcoat was ~~stolen~~ missed. Deponent has since been informed that the defendant is a professional thief.

J. W. York

Sworn to before me, this 26th dayof February 1891J. W. York
Police Justice.

0710

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty
James Allen

Taken before me this

day of *February* 189*7*

James Allen

Police Justice.

0711

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

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

Dated *July 26* 1891 *J. Henry [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.

0712

Police Court---

2 District

THE PEOPLE, &c.,
OF THE COMPLAINT OF

John W. Gray
144 West 25th St
James Allen

2
3
4

287
Grand Juror

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated

July 26

1891

Magistrate.

Kemp

Officer.

Precinct.

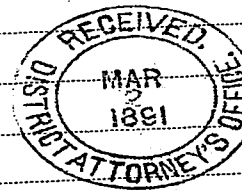
Witnesses.

No.

No.

No.

\$



to pay of

1000
to pay of
to pay of

9/2

0713

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Allen

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

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

The said

James Allen

late of the *Twenty-first* Ward of the City of New York, in the County of New York
aforesaid, on the *nineteenth* day of *February* in the year of
our Lord one thousand eight hundred and *eighty-nine* in the night time of the same day,
at the Ward, City and County aforesaid, with force and arms,

*one overcoat of the value
of fifty dollars*

of the goods, chattels and personal property of one *Alexander N. Ward*

in the dwelling-house of ~~the said~~ *one Stoward Lilienthal*

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

*De Lancey Nicoll,
District Attorney*

07 14

BOX:

429

FOLDER:

3960

DESCRIPTION:

Alvin, James

DATE:

03/10/91



3960

0715

J. E. Hopley
14. B. B. Stephens

Counsel,

Filed

Pleds,

10
1897
March 11

THE PEOPLE

Grand Larceny Second Degree

19
282
James Alvin

[Sections 528, 53, 54, 55 Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A True Bill.

Alfred Mear
Jury 2 - March 20, Foreman.
Jury and Committee of Passing
Jury 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 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

0716

Police Court First District.

Affidavit—Larceny.

City and County } ss.:
of New York,of No. Arthur W Down
49 Church Street New Haven Conn Street, aged 30 years,occupation Typewriter Agent being duly sworn
deposes and says, that on the 26 day of February 1889 at the City of BridgewaterState of Connecticut
~~New York~~, in the County of ~~New York~~, was feloniously taken, stolen and carried away from the possession,
of deponent, in the night time, the following property, viz: and thereafter carried
the same into the City of New York in the State of New York.A. Caligraph Typewriting Machine.
of the value of Eighty five dollars(\$ 85 ⁰⁰/₁₀₀)the property of Deponentand that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by James Alvin (now here).from the following facts to wit:
That deponent is informed by Enoch. R.
Munis of No 70 Broadway, that on the 2nd
day of March 1891- about the hour of one
o'clock P. M. the said defendant came into
said Munis place of business at No 70 Broadway-
and offered the said property which was
in his possession, for sale.And deponent further says that he has
seen the said Machine which was in defendant's
possession and truly and fully recognizes the
same as the aforesaid property which was
taken, stolen and carried away from deponent
on or about the 26 day of February 1891- at theSworn to before me this 26 day
of March 1889

Police Justice.

0717

City of Bridgeport in the State of
Connecticut

Deponent therefore Charges
the defendant with having committed
a Larceny and asks that he be held
and dealt with as the Law may direct

Sworn to before me

Attest.

this 2 day of March 1891

Charles N. G. Smith
Police Justice

0718

CITY AND COUNTY }
OF NEW YORK, } ss.

Enoch R Miner
aged _____ years, occupation Typewriter Agent of No. _____

70 Broadway Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Arthur W Down

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

Sworn to before me, this

day of March 1889

Charles W Linton

Police Justice.

E. R. Miner

0719

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

1st
District Police Court.

James Alvin 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.

James Alvin

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

New York

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

Answer.

282. Kent Avenue Brooklyn - 2 weeks

Question. What is your business or profession?

Answer.

Machinist

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

Answer.

I am not guilty -
James Alvin

Taken before me this

day of *March* 188*9*

Charles H. Johnson

Police Justice.

0720

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 March 2 18 9 Charles W. Smith Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0721

307

Police Court--- District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Arthur H. Drom
Magistrate of New Haven
James Allen
Com

2
3
4

Garvey
Officer

Dated *March 2 91* 1891
Jay W. Straus Magistrate.
Officer.
Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ *1000* to answer *G. J.*

James Allen

91
5540

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.



0723

2

writers gone. He identified the typewriter produced in court as one of the missing typewriters, No. 31,379. He next saw the typewriter in the police court, in this city. He also saw the defendant there. The defendant said that he had met a person in 71st street who said that he was a stenographer, out of employment, and thought he wanted to dispose of his typewriter. This person told him, the defendant, that he would give him a commission, if he would take the typewriter to Mr. Miner, and sell it for him. He, the witness, could not remember whether the defendant said that he met the person in East or West 71st street. The defendant also mentioned some number in 71st street, but he, the witness, could not recollect the number. The defendant said that the person who asked him to sell the typewriter was staying in a house in 71st street. The defendant also said that he, the defendant, lived in Brooklyn.

In cross-examination, the witness testified that he had known Mr. Miner as being a dealer in typewriters in this city, but not personally. He, the witness, did not live in Bridgeport. He lived in New Haven, but he was notified that the two typewriters had been stolen, and he

0724

3

went to Bridgeport. He kept a record of the numbers of the typewriters used in the business college, at Bridgeport. The doors of the business college appeared to have been pried open with a heavy bar of wood.

Enoch M. Miner testified that he was a dealer in second-hand typewriters in this city, his place of business being at 70 Broadway. The defendant brought the typewriter in court--No. 31,379-- into his, the witnesses, store on March 2nd, in the afternoon, about 1 o'clock, and offered it for sale. The defendant was alone. He, the witness, found the defendant in his store when he, the witness, came back from dinner. On the preceding Saturday-- the 28th of February-- a man came into the store with a typewriter, and he, the witness, bought it from the man. It was proved to be a stolen typewriter. So, when the defendant offered a second typewriter for sale, on March 2nd, the bookkeeper sent out for a policeman, and he, the witness, kept the defendant in conversation until the policeman came. He, the witness, asked the defendant if it was his own machine. The defendant said that it was not, but that it belonged to a friend of his who lived in West 71st street. He said that his friend lived

0725

4

at 132 West 71st street. The defendant said that his, the defendant's name was James Alvin, and that his friend's name was Frank Evans. He said that he had known Evans but a short time, and that Evans had asked him, the defendant, to take a typewriter to his, the witness's, place of business and sell it, and meet him, Evans, at half-past 3 o'clock that afternoon, and give him, Evans, the money or divide it with him-Evans. He, the witness, and his book keeper, afterwards went to 132 and 134 West 71st street, and found that no one by the name of Frank Evans lived there, or had ever lived there. As soon as the policeman came, the defendant was arrested and taken to the Tombs. There Mr. Down identified the typewriter as his.

In cross-examination, the witness testified that his establishment was known in the trade as the headquarters for second-hand typewriters, and he, the witness, probably bought one hundred second-hand typewriters where anybody else in the business bought one. The Caligraph Company, the manufacturers of the two stolen machines, notified him that the machines were stolen, after he had bought the first machine, on the afternoon of February

0726

28th. The stolen machines were caligraphs. The defendant handed several receipts to him, the witness, when he tried to sell the machine to him. These receipts purported to represent payments that Frank Evans had made on the machines. The young man who sold the machine on the 28th of February said that it belonged to his sister, who had just got married, and that her name had been Mary Williams, but was now Mary Barr, and that he was disposing of the machine for her, as she had no further use for it. He said that his name was George E. Williams, and that he lived at 1765 Broadway. He, the witness, afterwards made inquiry there, but there was no such person there as George E. Williams.

Stephen H. Farnham testified that he was book keeper for Mr. Miner, at 70 Broadway. He first saw the machine in question on the second of March, when the defendant brought it into Mr. Miner's store for sale. The defendant had the machine wrapped in paper, and tied very securely with string. It was about 10 o'clock that day when the defendant first called and offered to sell the machine. He said that it belonged to a sick friend, that it was a Caligraph, and that its factory number was 31,

0727

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379. He, the witness, knew at once that it was one of the stolen machines. So he told the defendant that the machine would be worth \$40, and that he had better bring it in later in the day, and the defendant brought it in, at about 1 o'clock. He, the witness, then sent a clerk out for a police officer. When the defendant was arrested he said that his friend's name was Frank Evans, and that he lived at a certain number in West 71st street. He said that his friend was a stenographer, sick and out of work, and had asked him to sell the machine. He the witness accompanied Mr. Miner in his search in 71st street for the defendant's sick friend but could not find him.

Officer William H. Strang testified that he arrested the defendant on Mr. Miner's complaint. On the way to the station-house, he the witness, asked the defendant where he got the machine, and the defendant said that a friend gave it to him to sell, but that he did not know the friend's name or address. He had made his acquaintance at Worth's Museum, on Saturday night, and he was in his company on Sunday, and on Monday morning, he gave him, the defendant, the machine to sell, at Third avenue and 71st street.

0728

7

James Alvin the defendant, testified in his own behalf that he lived at No. 282 Tenth avenue, Brooklyn, and was 19 years of age, and a machinist by trade. He had been employed by the Mc Dowell Draughting Company for three years, at from \$8, to \$12 a week. Almost from the time of his mother's death about four years before his arrest, he had supported himself. His father lived at 404 Pearl street, Brooklyn. He met George Williams, who had also called himself Evans at 30th street and Third avenue, on the preceding Friday evening. They spent the evening together and made an appointment to meet the following evening, at Third avenue and Fourteenth street, to go to Huber's Museum. Before they parted they agreed to meet again at his, the defendant's room, on the following day, Sunday. When Williams came, he carried the typewriter, in a green cover, with him. Williams said that he wanted to sell the typewriter. He, the defendant, got a Sunday paper and saw Mr. Miner's advertisement and Williams said, on the following morning, Monday, "you go over and sell the machine, and I will give you \$5, if you get more than \$30 for it. The defendant said that he would do so and Williams said that he didn't sell the typewriter

0729

himself, because he had to go to his room, to meet a friend who had promised to get him a situation. He, the defendant, then took the typewriter to Mr. Miner's establishment and tried to sell it. When he took the machine from Williams to sell it he had no idea that it was stolen. He had known Williams for about eight months, and Williams's father worked in his, the defendant's shop. Williams came there occasionally to see his, Williams's father.

In cross-examination the defendant testified that the shop was at 193 Grand street, Brooklyn. He had not requested his father or Williams's father to come to Court to testify in his, the defendant's behalf. He only knew Williams slightly from coming into the shop. Williams said that he lived at 132 or 134 West 71st street.

0730

Form No. 1.

THE WESTERN UNION TELEGRAPH COMPANY.

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THOS. T. ECKERT, General Manager.

NORVIN GREEN, President.

NUMBER	SENT BY	REC'D BY	CHECK
2212	Or	H Spauld	376

RECEIVED at 255 CHURCH STREET, N. Y.

Mon 6 189

Dated Jeff mkt ny 6
 To James. Albin
The Lamba ny.

Read letter too late will

be down tomorrow
J E McDowell

0731

423.6, hr

40 Long

404. Pearl (Lr)

0732

District Attorney's Office.

PEOPLE

vs.

Harold Bohlen
Grand Juror

Donald W. Dwyer

The Dist Atty
directs that this
case be tried
to day without
fail
Stevinger

*Copied by Clerk of Court
to the District Attorney*

clerk 20/91

at - Assistant in Charge
of Park II

0733

Ben Stapler.

The D.C. gave
his direction. A
reason of concern
note. If you
will see or feel
the necessity explain
the circumstance,
I have no doubt
it will be satisfactory.
Sincerely
Ben Stapler

0734

Case moved
to be tried
at 10 o'clock
on March 19th
at 10 o'clock
on March 19th
at 10 o'clock
on March 19th

379 First Ave.

New York March 19th

Samuel Nicholls Esq.
District Attorney,

Dear Sir,

I wish to respectfully call your attention to the case of John Haggerty against Hanna Bohlen for G.D. whose trial is put down for tomorrow (March 20th) at 11 A.M. in Court of General Sessions Part II. I am Mr. Haggerty's brother-in-law and have, at considerable inconvenience, produced him, six different times. On each occasion the case was postponed - not through any fault or fault of the complainant. Will you kindly see that the trial will take place on tomorrow, as I desire to be relieved of my responsibility. Yours truly,
William C. Healy,
C.D.

0735

"THE PHONOGRAPHIC WORLD."

A live Journal for live writers. Devoted to the interests of the Shorthand profession. Yearly (12 numbers), only \$1.00. "It is the best and only unprejudiced Shorthand publication."

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Typewriter Headquarters,

— AND DEALERS IN —

STENOGRAPHIC SUPPLIES,

70 BROADWAY,

15 NEW STREET,

Between Wall Street and Exchange Place,

NEW YORK CITY.

E. N. MINER.

February 28th, 1891.

Received of Typewriter Headquarters the sum of Forty Dollars

in full for Caligraph 31,353

Mary Barr

Geo E Williams

1766 Broadway Bklyn

Stolen from

A. H. Down

New Haven


#31353

M. 67

Perkins

0736

Sept 2, 1890


 **RECEIVED** from Frank Green

thirty five Dollars in part
payment for Typewriter #31,378 **Dollars**

\$35.00/100 Geo Howard,

Hulmer & Co. Stationers & Printers 633 Water St. N.Y.

Oct 7, 1890

 **RECEIVED** from Frank Green

forty five Dollars in full payment
for Typewriter #31,374 **Dollars**

\$45.00/100 Geo Howard,

Hulmer & Co. Stationers & Printers 633 Water St. N.Y.

0737

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Alvin

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

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

The said

James Alvin

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

*one caligraph typewriting machine
of the value of eighty-five dollars*

of the goods, chattels and personal property of one *Arthur N. Down*

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.

0738

SECOND COUNT—

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

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

The said

James Alvin
late of the City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,

one Caligraph typewriting machine
of the value of eighty-five dollars

of the goods, chattels and personal property of one

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

Arthur W. Down
unlawfully and unjustly, did feloniously receive and have; the said

James Alvin
then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0739

BOX:

429

FOLDER:

3960

DESCRIPTION:

Anderson, Edward

DATE:

03/05/91



3960

POOR QUALITY
ORIGINAL

0740

Witnesses:

Edward Anderson

Counsel:

Filed

day of

March 1891

Pleads

Not guilty

THE PEOPLE

vs.

Edward Anderson

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

DE LANCEY NICOLL

JOHN P. BRILLON

District Attorney.

A True Bill.

Wm. J. Mann

Foreman.

March 1891

Spears & Sonneten of

S. P. 2 yrs & 6 mos

Public Indebtedness R. B. M. 20

0741

27/91
THE PEOPLE

vs.

EDWARD ANDERSON.

COURT OF GENERAL SESSIONS, PART I.

BEFORE JUDGE *Martine.*
~~FITZGERALD~~

March 18, 1891.

Indictment for assault in the first degree.

MARGARET HURTON, sworn and examined.

- By Mr. Townsend. Q. Your name is what? A. Margaret Hurton.
- Q. Where do you reside? A. No. 223 East 58th Street.
- Q. Between what avenues is that? A. Between Third and Second Avenue.
- Q. On what side of the street is it? A. The uptown side.
- Q. Do you recollect the 19th day of February, Thursday night, of this year? A. Yes sir.
- Q. Where were you about seven o'clock that night?
A. I was at the dining room.
- Q. The dining room of your residence? A. Yes sir.
- Q. On what floor is the dining room? A. Back to the yard the third floor.
- Q. How many rooms have you there? A. Five.
- Q. Will you tell the jury what they consist of, what they are used for, what is the front room used for?
A. For a sitting-room as we call it.
- Q. What are the two next rooms? A. Bed-rooms.
- Q. And the next? A. A kitchen.
- Q. And the rear room? A. A dining-room.
- Q. Who was home that night about this time that you speak of?
A. My son James was lying in bed.
- Q. In what room? A. Next to the kitchen as you go into the kitchen.

Q. Lying in bed? A. Yes sir, he was after supper and he went in and threw himself on the bed face and hands, he had no hat or no coat on but he had his shoes on.

Q. Who was in the next room? A. The next room was the kitchen and the dining-room I was in it.

Q. Who was in the kitchen? A. Nobody.

Q. Where was Edward? A. Edward came in I suppose, I did not see him at all, he must have been in the dining-room, yes, he was in the dining-room.

By the Court. Q. Do you know whether Edward was there or not?

A. I guess when I went out he came in.

Q. Did you see Edward there before you went out?

A. When I came upstairs he said not to leave Linda with Anderson because he would shoot her ---- then I seen Eddy in the dining-room.

The Court: Strike that out.

By Mr. Townsend. Q. Your son Edward, does he live with you?

A. My son Edward is married.

Q. He does not live with you? A. No sir.

Q. Your son James, is he married? A. No sir, he is living with me.

Q. And he was lying on the bed in the bed-room? A. Yes sir.

Q. Where was your daughter at this time? A. She was in the front room along with Anderson.

By the Court. Q. What is your daughter's name? A. Linda..

By Mr. Townsend. Q. Did you see the defendant Anderson there that night? A. I did, sir.

Q. Where was he when you first saw him? A. He passed me coming upstairs and went into the kitchen and turned into the front room through the bed room.

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Q. And went to the sitting-room which was the front room?

A. Yes sir.

Q. And where was Linda, your daughter, at the time?

A. She was in the front room before him when he went in.

Q. She was there before he went in?

A. Yes sir.

Q. What happened then?

Objected to. Objection overruled. Exception.

A. I saw that she was going out with Anderson, she was dressed, she had her hat on.

Q. What did you see? A. I seen her standing and putting on her cape going out with Anderson.

Q. You did not see her going out? A. No, I called her.

Q. You saw her putting on her things? A. Yes sir.

By Mr. Townsend. Q. What did you say? A. I said, "come out."

Q. Did she come out? A. Yes sir.

Q. What did you do? A. I was talking outside the door she said, "keep still"; I went down in the first hall three pair of stairs.

Q. What did she say? A. She went with him.

Q. Where was Anderson at this time? A. He was in my front room.

Q. That was on the third story? A. Yes sir.

By the Court. Q. You and Linda went down to the ground floor?

A. Yes sir.

By Mr. Townsend. Q. When you got to the first floor, you and your daughter? A. We began to talk between ourselves.

Q. Did you see Anderson again? A. He came right down stairs.

Q. When he got there your daughter was still there?

A. Yes sir.

Q. What did you say to him or he say to you?

A. He said, "come on", to Linda.

Q. What did you say? A. I says, "I don't want you because I don't like your looks, keep away from me."

Q. What did he say to you then? A. He caught hold of Linda then, pulling her in spite of me.

Q. How did he catch hold of Linda. A. He put his hand over to catch hold of her and when I put my hand on her breast he shoved me against the bannister, he caught hold of her arm.

By the Court. Q. What else happened? A. She walked with him to the door going out on the street.

Q. What did he do to you. A. He shoved me back against the bannister.

By Mr. Townsend. Q. What did you say or do. A. I called for my son Thomas and then he did not hear me; when I saw her going I was afraid he would shoot her.

The Court: Strike that out.

By the Court. Q. Go back to where he caught you and shoved you against the bannister, what was the next thing happened?

A. I saw Linda going with him.

Q. Did he shove you back going away from you? A. Yes sir, he was pulling her away from me.

Q. Was he pulling her when he shoved you? A. He pulled her and he shoved me, she walked with him, he was going away.

Q. Where did he go to? A. He went to the street.

Q. Did he stand beside you or did he go up where Linda was after he pushed you against the bannister? A. When he pushed me against the bannister I called for my son; I

says, "Thomas, Thomas, come", and he did not hear me then. Anderson put his hand in his pocket then; he said, "I don't care for your son, I have that ", putting his hand in his pocket and showing me the pistol. That frightened me then.

Q. What did he do with it? A. He kept it in his hand.

Q. Did he point it at you or hold it up? A. No, he kept it like that (illustrating) he was not going to shoot me I suppose.

Q. He did not point it at you? A. No sir, he said he had that for my son, he didn't care.

By Mr. Townsend. Q. Show the Jury how he had the pistol?

A. Like that (showing), I think it was in his right hand.

Q. He took it out of what pocket? A. The back pocket of his pants because I think he put his coat back.

Q. He said what at the time he held it in his hand?

A. When I called for Thomas he said, "I don't care for him, I have that (showing me the pistol)."

Q. Then what did he do or what did you do? A. He went out of the door and Linda went with him.

Q. What did you do? A. I ran upstairs and I went to Thomas.

Q. You ran upstairs to your sons? A. Yes sir.

Q. You said something to them? A. I told them -----

By the Court. Q. Were both of your sons there when you went back upstairs after seeing this pistol? A. The both was upstairs.

Q. Were they both present when you spoke? A. They were both present, it was to Thomas I hallooed.

Q. Were they both there? A. Yes sir.

Q. In the room together? A. No, Eddy was in the dining-room and Thomas was in bed, there was a small little kitchen between.

Q. You spoke to Thomas? A. Yes sir.

Q. What you said you need not tell, what happened next?

A. That is all I know, I stopped there because I could not go no further.

Q. After you spoke to your son Thomas, what did Thomas or Edward do, not what did they say? A. They did not speak at all but they both ran down stairs.

CROSS EXAMINED by Counsel.

Q. How old is this daughter Linda? A. Twenty-eight years I believe.

Q. How long has she lived with you? A. I reared her.

Q. Has she not been absent from home for some years?

A. Sometimes she would have to work, she was living out, she used to come to me.

Q. How long has she been away from home? A. She used to come to me maybe every night in the week, she was not away from me, she was near me.

By the Court. Q. She came to see you? A. Yes sir.

Q. Did she live in your house? A. No, she was living out, she was working.

Q. How long did she live out? A. I believe nine years she is living in one house, I think about nine years.

By Counsel. Q. How long have you known Anderson? A. I can't say whether it is two years or not.

By the Court. Q. Can you say about two years? A. Yes sir.

By Counsel. Q. Has he been in the habit of coming to your house and seeing your daughter, visiting your daughter calling upon her?

A. She used to bring him to the house but I never liked him.

Q. You objected to him strenuously? A. Yes sir.

Q. You wers sworn as a witness in the 57th Street Police Court were you not? A. Yes sir.

Q. Did you say anything about Anderson having a revolver or a pistol? A. Yes sir, I told what I told here.

Q. Did he attempt to shoot you with it? A. I don't know whether he would or not.

Q. After Anderson threw you over the bannister or pushed you aside she did not scream or cry out? A. No, she did not want to make any noise.

LINDA HURTON, sworn and examined.

By Mr. Townsend. Q. Where do you live, Miss Hurton?

A. At present I live in 223 East 58th Street.

Q. And that is the home of your mother? A. Yes sir, my mother's home.

Q. Your mother is Margaret Hurton, who just testified?

A. Yes sir, Margeret Hurton.

Q. Do you know anything about this trouble that took place that evening. A. I know very little about it.

Q. Will you tell us what you know about it? A. Mr. Anderson called on me that evening, we were going out for a walk; my mother came in and she said, "come out, I would like to talk to you a little while"; I went out in the hall, I told mother she should not talk so loud, she said, "come on down stairs"; we went down stairs, we were talking in the back hall as you go out in the yard.

- Q. You were talking there, did Anderson come down? A. He came down stairs.
- Q. Miss Hurton, you said that the defendant came down stairs where you and your mother were, did you? A. Yes, that is what I said.
- Q. Tell the jury what took place there, what you saw and what you heard? A. I was standing in the hall talking to Anderson and to my mother, at least Anderson came down stairs when I called him back in the hall where we were talking, mother and I; so I spoke a few words to him and he said, "come on."
- Q. Well, what next happened? A. I called him back and he stood there talking to mother. While he was there mother pushed him away and said, "you keep away from my daughter because I do not like your looks." Then he says, "come on, aren't you old enough to choose yourself, you make your own living, so come on." Then I walked out in the street with Anderson.
- Q. When he pushed your mother away did you see him, what did he do with his hands? A. I did not see what he did with his hands; she pushed him first and said, "go away", and when she pushed him, he pushed her back towards the yard.
- Q. Are there bannisters there? A. She was behind the bannisters by the cellar door right near the back yard, and then she walked out into the yard and called for my brothers; in the meanwhile I do not know what Anderson did, I did not see what he did, I turned to start out and left him there.

By the Court. Q. Who went out first, you or he? A. I think he did, I followed him.

Q. You followed him? A. Yes sir, I followed him.

By Mr. Townsend. Q. Where did you go? A. I went towards Third Avenue.

Q. With him? A. Yes sir, with him.

Q. When you got up there, what occurred? A. I forgot something, I told him, we were talking on the sidewalk, mother was not there.

Q. Your brother was not there? A. No sir.

Q. You stopped talking to him and returned? A. Yes sir, I did not go back to the house, I was about to return.

Q. You stopped there, talking? A. Yes sir.

Q. How near was this to Third Avenue? A. It was half ways between the house and Third Avenue, the house is in the middle of the block.

Q. This was half way distance between Third Avenue and the house? A. Yes sir.

Q. What happened then? A. He was facing Third Avenue and I was facing Second Avenue and I saw my brothers running towards him, both of them.

By the Court. Q. Both of them? A. Yes sir.

By Mr. Townsend. Q. What side of the street were you on?

A. I was on the uptown side.

Q. The uptown side with Anderson? A. With Anderson.

Q. Describe how the brothers were, were they running together?

A. No, one run on the opposite side, on the down town side, Tom run; and then Eddy run on the same side where Anderson was.

Q. What took place then? A. I saw him running and I

says, "run, they are going to kill you." He said, "no, for what shall I run?"

Q. You were saying this to Anderson? A. Yes sir, meaning Anderson.

By Counsel. Q. "They are going to kill you?" A. Yes sir.

By the Court. Q. Where was Anderson at that time? A. He was standing talking to me. One brother was running, I could not say exactly how close, about as far as I am now from the gentleman in the last seat.

By the Court. Q. Did you call that out loud? A. Yes sir, certainly, as loud as I could, I could not say it very well, I was too nervous.

By Mr. Townsend. Q. What did you see then? A. I saw nothing then, I did not see anything I was so frightened.

Q. Where did you go? A. I ran home.

Q. You ran home? A. Yes sir.

Q. When you left Anderson how near was Thomas or Edward, your brother, to him. A. Edward had hold of him to the

back, I do not know what Thomas was doing, Thomas was in front of him, I could not see what happened after that.

Q. Your brother Edward was behind him A. Yes sir, holding his arms.

Q. He had hold of his arms? A. Yes sir.

Q. Which way was Anderson facing? A. He was facing toward Third Avenue.

Q. Facing towards Third Avenue? A. Yes sir.

Q. Did you hear the report of a pistol? A. I heard it but that is all.

Q. You heard it? A. Yes sir, I heard the report of a pistol.

By the Court. Q. Once or more?

A. I could not say how many times, your Honor.

By Mr. Townsend. Q. There was several times?

A. I could not say whether it was once or fifty times.

By the Court. Q. Are you able to say it was more than once?

A. Yes sir, it was more than once in succession, I could not say how many times.

By Mr. Townsend. Q. In succssion you say?

A. Yes sir, there was one after the other.

Q. Was anything said by Anderson to your brothers in your presence?

A. No, I did not hear one word of it.

Q. On the part of any of them?

A. No, I did not hear a word on either side.

Q. How long have you known Anderson?

A. I have known Mr. Anderson two years.

Q. You are not engaged to him?

A. No, nothing of the sort passed at all.

Counsel: I object as incompetent and immaterial.

The Court: Having said no, I won't strike it out.

By Mr. Townsend. Q. Have you seen Anderson since he was arrested?

Objected to.

Objection overruled.

Exception.

A. Yes sir.

Q. Were you subpoenaed here by Anderson?

A. I do not know who subpoenaed me, I got a subpoena paper at the house, not at my house but my brother's house it was addressed to.

Q. How many times have you seen him since he was arrested?

A. Oh, I have seen him several times, I could not say how many.

Q. Where?

A. I have seen him in 57th Street.

Q. Where else?

A. At the Tombs.

Q How often would you see him prior to this night, how many times a week would you be apt to meet him?

A. I could not say very well.

By the Court. Q. Was he a frequent or an occasional caller?

A. Occasional.

Q. How often would he come? A. Every week, he would come once or twice or three times perhaps.

Counsel: I can't see in any view of this case why this is competent.

The Court: I can see it is perfectly proper to show just what the acquaintance between these parties was ----- there is no suggestion of any impropriety; it goes to show what the witness's motives may be, how she may be animated.

By Mr. Townsend. Q. Did you ever hear of any dispute or any words between your brothers and Anderson? A. Never.

Q. Miss Hurton, did you ever tell any persons that he threatened to shoot you if you went back on him?

A. No, I never did.

Q. Never? A. NO.

CROSS EXAMINED.

By Counsel. Q. Miss Hurton, as you came down in the hall down the stairway with your mother, did you see any revolver in the hands of the defendant or on his person? A. No sir.

Q. And you were right close to him? A. Yes sir, I was close to him.

Q. And when your mother came down stairs or when he came down stairs, your mother grabbed hold of him?

A. Yes sir, she pushed him away.

Q. And he shoved her back? A. He shoved her back again.

Q. He says, "you are old enough to know your own company". or

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something to that effect, you believed you were?

A. Yes sir.

Q. You went out voluntarily with him? A. Yes sir, I went out voluntarily with him.

Q. How far had you gone down the street? A. Half ways between the house and Third Avenue.

Q. How far is that? A. The house is in the middle of the block and I went half ways between the house and Third Ave.

Q. When you saw your two brothers running on one side of the street A. Yes sir.

Q. What words did you use to Andeson? A. I says, "run, Eddy, they are going to kill you."

Q. Why did you utter that remark? A. I do not know why I said it.

Q. You believed it to be true? A. No, I did not think they were going to kill him, I might use the expression, I thought he would run, I did not like to see a quarrel.

Q. You knew there would be? A. Certainly I knew that or they would not run after him, except with the intentions of having a quarrel.

Q. Your brother Eddy grabbed hold of him? A. Yes sir, right from the back.

Q. And kept hold of his arms, didn't he? A. Yes sir.

Q. What did your other brother do? A. He ran in front of him.

Q. Did you see anything else? A. No sir, nothing else, then I ran away when I saw them there.

Q. You became frightened? A. Yes sir.

Q. You in the meantime returned to your house to get some wearing apparel? A. I did not go back, I was on the point of going back, I wanted to get something.

Q. You have been living away from home for a number of years?

A. Yes sir.

Q. How long have you been home on this last occasion?

A. About a month or six weeks.

By Mr. Townsend. Q. Had you ever seen him have a revolver in his possession?

A. I have seen that but that is two years ago, I knew he never used it, I never thought he was going to use it for anything like this.

Q. Where did he have it? A. In his pocket.

Q. Which pocket? A. It is so long ago I could not tell you what pocket.

Q. Have not you seen it recently? A. No, he did not carry it for quite a while.

Q. Will you swear that you had not seen it within a year?

A. Yes sir, I will.

By the Court. Q. You and he were standing in conversation, if I recollect your testimony, when you saw your brothers coming toward him?

A. Yes sir.

Q. One coming on each side of the street? A. Yes sir.

Q. Was that the first you saw of your brothers upon the street that night? A. Yes sir, that night, that was the first time.

Q. And when you first noticed them coming, you and Anderson were in conversation and one was upon each side of the street? A. Yes sir.

Q. What were they doing? A. They were running towards where I was standing with Anderson.

Q. One on the north and one on the south side? A. Yes sir.

Q. You said to Anderson, "run, they are going to kill you"?

A. Yes sir.

Q. You said that, you did not think they would kill him?

A. No, I thought he would walk away; he said after he did not see them, his back was turned.

Q. And when he said that what is the next thing that you saw?

A. I saw them take hold of him and I ran away.

Q. Then where were your brothers when you started to run?

A. They were with Anderson.

Q. They had come up there? A. Yes sir.

Q. What did they say? A. I do not know what they said, I heard nothing at all.

Q. Did you hear voices? A. No, I did not hear voices either.

Q. Then when your brothers came up to where Anderson was, you were there, were you not? A. I was standing there.

Q. You still stood there up to the time they reached him, is that so? A. Yes sir.

Q. How far were they away from you when you first saw them, about? A. Eddy was as far as from that gentleman in the corner with the light overcoat.

Q. In the second seat? A. Yes sir.

Q. And the other one, where was he? A. On the opposite side.

Q. So that would be fifteen or twenty feet away, whatever that distance is? A. Yes sir.

Q. And in the meantime they came right on, they did not stop?

A. No sir, they did not stop, Anderson did not go away, he stood there.

Q. When you called his attention he was looking towards Third Avenue? A. Yes sir.

- Q. He turned to look? A. No, he kept looking on Third Avenue all the time.
- Q. When you told him these men were coming you mean to say that he was still looking down the street?
- A. Yes sir, he was, he did not turn around.
- Q. You were facing in the direction that they were?
- A. Yes sir.
- Q. You were standing back to back? A. He was facing Third Avenue and I was facing Second Avenue and they were running.
- Q. You had to pass Anderson to go to your house? A. I had to pass Anderson to go to my house; they had hold of him, I was standing there when they held him.
- Q. How long did you stand? A. I did not stand at all, I ran right away, I did not look, I did not wait to see anything.
- Q. Edward you say got hold of him from behind? A. Yes sir, by his arms.
- Q. With each arm? A. Yes sir.
- Q. What did Thomas do? A. He ran in front of him.
- Q. What happened? A. I do not know.
- Q. Upon that happening you ran away? A. Yes sir.
- Q. How far had you got before you heard pistol shots?
- A. I could not say that, I can't form any idea.
- Q. Had you got to your house? A. No sir.
- Q. Had you got half way when you heard a pistol shot?
- A. Yes sir, I was more than half way.
- Q. Did you hear any voice then? A. There was a big crowd of people, I heard children and women hallooing.
- Q. Several people came up? A. Yes sir, certainly.

- Q. It is a pretty well built up street? A. Yes sir.
- Q. What time in the evening? A. Between seven and half past.
- Q. Was there several people out in the street? A. There was not so many at the quarrel.
- Q. After the shots a crowd gathered? A. Yes sir.
- Q. If I understand you, all you saw of this occurrence is what you now state? A. That is all, further I cannot say.
- Q. From the time that your brothers got hold of this defendant until you heard the shots, you heard not one word spoken, is that right? A. Not a word, that is right.
- Q. How long did you stand there after your brothers came up?
A. I did not stand at all, I ran away when they came up.
- Q. You stood long enough to see Edward get hold of him from the back? A. Yes sir, that I saw.
- Q. Did the other man Thomas get hold of him? A. I could not say what he did at all, I saw Thomas run up across the street.
- Q. Then you saw Thomas fifteen feet away, you saw him across the street coming around in front of Anderson, is that right? A. Yes sir, that is right.
- Q. All that time you heard nothing at all? A. Nothing at all, there was not a word spoken.
- Q. Did you say anything? A. I says, "run."
- Q. Until that you did not hear anything? A. Not a word, he did not run, he did not turn about, I did not see him do a thing.
- Q. Do you want us to understand, I may have misunderstood you, that when you said, "run, Eddy, they will kill you", that

he was looking in a contrary direction? A. Yes sir, he was looking toward Third Avenue.

Q. And while he was looking toward Third Avenue you said that to him and he still remained in that position, continued in that position until you left and ran down the street?

A. When they had hold of him I could not say what position he was in.

Q. From the time you saw your brother running until you left the place where you say this man and your brothers were, Anderson continued looking toward Third Avenue?

A. Yes sir.

Q. And when you told him to run they will kill you, did you say who? A. No, I did not say who.

Q. Do you know whether Anderson knew to whom you referred?

A. I do not know what he knew.

Q. Did you say anything? A. No, I did not say a word.

Q. Did you say anything to give him information as to who would kill him? A. No sir.

Q. Did you or did he say anything that would give him information who was coming after him? A. I saw them coming after him.

Q. When you say they, did you say anything to him so that he would know who was coming after him? A. No sir.

Q. So far as you are aware he did not know who was coming after him from any expression made by you? A. No, he did not

Mr. Townsend: That is all.

Counsel: That is all.

EDWARD HURTON, sworn and examined.

- By Mr. Townsend. Q. Have you been sworn A. Yes sir.
- Q. What is your business, Edward? A. I work for the Lawrence Curry -comb Company, a machine hand.
- Q. You are a son of Mrs. Margaret Hurton who testified here and a brother of this Linda Hurton? A. Yes sir.
- Q. Do you recollect the evening of the 19th of February? A. Yes sir.
- Q. Were you at your mother's house? A. Yes sir.
- Q. Are you married or single? A. Married.
- Q. Where do you live, at home? A. No. 1138 Second Avenue.
- Q. How long have you been married? A. Since the 17th of November, 1889.
- Q. Did you see Anderson, the defendant, there that night? A. At my mother's house, I went in my mother's house and I looked through the rooms.
- Q. Did you see Anderson? A. Yes sir, I did not know it was Anderson, I did not know whether it was Anderson or not in the sitting-room.
- Q. Where were you at that time? A. Sitting in the dining-room.
- Q. What were you doing? A. Just sitting down.
- Q. Reading? A. No sir, just sitting down smoking.
- Q. And did you see your brother there that night, Tom? A. Yes sir, he was lying in the bed when I went in.
- Q. In an adjoining room? A. There was a kitchen between the bed-room and the room that I was in, the bed-room that Tom was lying in.
- Q. Do you recollect your mother coming up and saying something

to you in a hurried way?

A. She said nothing to me,

she said to Tom, run.

Q. She said something to Tom, did she?

A. Yes sir.

Q. You heard it?

A. I heard it

Q. What did you do on hearing it?

A. I ran down stairs.

By the Court. Q. Alone?

A. Behind Tom.

By Mr. Townsend. Q. Tom ran ahead of you, how far ahead of you was Tom?

A. Just as close as from here to that post.

Q. Within ten feet of you ---- where did you go when you got down stairs, Edward?

A. I turned towards Third Ave.

Q. You turned towards Third Avenue?

A. Yes sir.

Q. On the upper side of the street?

A. On the upper side of 58th Street.

Q. And where did you go?

A. I walked towards Third Ave.

I walked lively, I did not run at all until I got about seventy-five feet and it is very dark; there is two trees in a tree-box where that man Anderson and my sister were standing; so I went up and my brother was on the other side of the street and as soon as I seen him I says to Tom, "hold on", just like that; he was walking kind of fast. So he came across the street, it seems he saw him first and he pulled a pistol.

Counsel: Objected to.

The Court: Strike it out.

By the Court. Q. You said what?

A. I said to Tom to hold on.

Q. How close were you to Anderson when you said that?

A. About the distance between us now.

Q. How loud did you call out, call out as loud as you did then?

A. "Hold on", just like that.

By Mr. Townsend. Q. What happened?

A. Tom came across the street, he was about from here to that post from Anderson when Anderson pulled a pistol from his pocket and fired a shot at him; I grabbed Anderson from behind by the two arms up around the muscles here and I did not grab him low enough and he put the gun over his shoulder like that.

(Illustrating.)

Q. The pistol?

A. The pistol, and he fired over his shoulder and it hit the side of my head. Then when I seen I did not have him low enough I shoved my hands down farther and he turned the pistol like that and he put one bullet right through the thigh here and another one right alongside of it; so then in the struggle he got away from me.

By the Court. Q. When you grabbed him by the arm that was after you say he fired the shot, he had hold of the pistol when he fired it?

A. Like that. (Illustrating.)

Q. Pointed at what?

A. At Tom.

Q. You grabbed him by the arm?

A. Yes sir, I did not grab him low enough.

Q. What did he do?

A. He fired a shot at me over his shoulder and he stuck me on the side of the head.

By Mr. Townsend. Q. Where did you put your hands upon his arm?

A. About here on the muscles (showing).

Q. That gave him free use of the elbow?

A. Yes sir.

By the Court. Q. When you got that second shot it grazed your head?

A. Yes sir, it grazed my head, then I grabbed him down round the wrists and he turned the pistol.

Q. Both wrists or one wrist?

A. I had both wrists in my hands behind him, he had the pistol in the right hand and

he turned it in like that on me. (Showing).

- Q. And struck you where? A. He struck me in the thigh right here in the hip and put one ball right through the fleshy part of the thigh.
- Q. Anything else? A. So then he broke away from me, I got weak and he commenced snapping the pistol again.
- Q. Where was Tom all this time? A. Tom was on the sidewalk, he could not do anything.
- Q. Did he do anything? A. Not as I seen, I did not see him do anything.
- Q. Then the defendant broke away? A. Yes sir.
- Q. What did he do after he broke away? A. He jumped out in the middle of the street and he kept snapping the pistol at Tom again.
- Q. How many times did he snap it? A. Two or three times to my knowledge.
- Q. What next? A. I ran in and grabbed him again and in the struggle I threw him down on the street.
- Q. In the middle of the street? A. Yes sir; and then Tom came over and the two of us were trying to get the pistol off him.
- Q. What did you do? A. I held him down and Tom came over.
- By Mr Townsend. Q. Tom was there all the time? A. Tom was there all the time but I did not see him, I did not see nobody until I had him down, I had hold of his two arms, I seen Tom alongside of me taking the pistol out of his hand, I did not see nothing till the man got away from me, he must have got up, I did not see him get up, I saw a man turning Third Avenue, I followed down Third Avenue, I did not see him no more.

Q. You walked towards Third Avenue, is that right?

A. Yes sir.

Q. Look at Anderson there, is that the man that fired the pistol at you?

A. That is the man, he had his moustache blacked that night and he had a pair of sideboards on.

Q. You look at that pistol, have you ever seen that before, do you think?

A. Yes sir, that is the pistol I was shot with.

Q. It looks like it, does it?

A. There was one bullet in it, he only fired four shots.

Q. It resembles the pistol does it, to the best of your knowledge?

A. Yes sir.

Q. Had you ever had any words with Anderson?

A. Never

saw the man before, never spoke to him.

Q. You knew there was such a man; you knew that he was a friend of your sister's?

A. I knew that, I heard of him, that is all I know of the man.

Q. Have you had steady employment?

A. Yes sir.

Q. What would you get a week?

A. Eleven dollars.

Q. Now Edward, you have been in the Penitentiary or State Prison or somewhere, haven't you?

A. No sir, I was in the Elmira Reformatory.

Q. For doing what?

A. For grand larceny.

Q. Were you tried or did you plead guilty or what was it?

A. I pleaded guilty.

Q. For doing what?

A. For a watch.

Q. Where did you take the watch?

A. It was up in 129th Street and Third Avenue, I was arrested with a man, I knew nothing about it and the man came down and he pleaded guilty.

there is no use in my denying the thing.

- Q. You went to Elmira, did you? A. Yes sir.
- Q. When did you go away from Elmira? A. In November, 1888.
- Q. Where have you been living since? A. I was living with my mother until I got married.
- Q. Were you employed at the time? A. Yes sir.
- Q. What did you do with your money? A. I used to give what I thought was reasonable to my mother, give her enough to live on.

Counsel: I object, that is not competent.

The Court: I will strike it out.

CROSS EXAMINED by Counsel.

- Q. Have you ever been convicted for stabbing an officer? A. No sir.
- Q. Have you ever been in the Penitentiary? A. Yes sir.
- Q. When? A. On March 11, I went there.
- Q. How long did you remain there? A. Five months.
- Q. Charged with an assault? A. No sir.
- Q. March 11 of what year? A. 1890.
- Q. Since your discharge from the Elmira Reformatory? A. Yes sir.
- Q. Have you ever been in any other prison or jail than those two? A. No sir.

By the Court. Q. You did not tell us what you were there for? A. Petty larceny.

By Counsel. Q. How old are you? A. Twenty-two.

- Q. Are you keeping house, a married man? A. Yes sir.
- Q. Did you have a revolver with you that night? A. No sir.
- Q. Sure about that? A. Sure of that.

Q. You heard your sister testify here? A. I heard her testify.

Q. You heard her testify that no shot was fired until you came up and grabbed hold of this defendant, did you?

A. He fired one shot before.

Q. Did you hear her testify to that on the stand here?

A. I heard her say that.

By the Court. Q. She lies when she says so? A. She lies when she says so.

By Counsel. Q. You ran down one side of the street and your brother the other? A. Yes sir.

Q. You had not been assaulted up to that time? A. No sir.

Q. No conversation was interchanged between you and the defendant? A. No sir.

Q. Did you say you walked up or run down? A. I walked.

By the Court. Q. You said you made a quick walk? A. A quick walk, I did not run.

By Counsel. Q. How many shots do you say was fired at you?

A. There was three fired at me.

Q. And your brother was not doing anything while these shots were fired until you threw this defendant on the ground?

A. I did not see my brother doing nothing, I was looking out for myself, when the shots were pegged at me.

Q. The defendant shot over his shoulder? A. Yes sir, over his shoulder.

Q. You had hold of him by the arms? A. Yes sir.

Q. Then you threw him to the ground? A. After he broke away from me.

Q. You succeeded in throwing him to the ground? A. I threw him to the ground after he broke away from me, after the

shots were fired and he snapped the pistol at the same time at my brother.

Q. Your brother had not done anything? A. No sir.

Q. Has your brother been convicted? A. I do not know, sir.

Q. Have you ever been convicted of any crime? A. No sir.

Q. Were you in the Penitentiary for stabbing an officer?

A. No sir.

Q. Or confined in a jail on a charge for stabbing someone?

A. No sir.

Q. Or for some assault? A. I never was arrested for any kind of an assault.

Q. It was mostly larceny you were convicted of?

A. Yes, two charges of larceny.

Q. You had known the defendant, hadn't you? A. No sir, never spoke to him, never had seen him before.

Q. Did you meet him at a hotel once? A. No sir, not that I know of.

Q. He had not at this time made any assault upon you?

A. I never spoke to the man.

By Mr. Towns3nd. Q. Did you ever carry a pistol? A. No sir.

Q. Did not have one that night I believe you testified?

A. No sir, I did not have no pistol that night.

Q. Did you see any other pistol there except that one?

A. No sir.

Q. Where were you going at the time you came out of the house, what was your object in walking up towards the Third Avenue

A. Why, when my mother said my sister's life was in danger I did not come down out of the house only for that.

By the Court. Q. Your mother came up and said something to you and

it was in consequence of what she said you came down stairs.

A. Yes sir.

Q. Were you going for Anderson or for your sister?

A. I was going for my sister.

Q. What was your object in going up there?

A. I think it is only a brother's part if he thinks his sister's life was in danger to go.

Q. Where were you going? A. I was going down to save my sister.

Q. Were you looking for Anderson? A. No sir,

Q. Were you looking for your sister? A. No sir.

Q. You found both? A. Yes sir.

Q. Did you hurry? A. I walked kind of quick.

Q. You wanted to go where your sister was? A. Yes sir.

Q. Was anything said by you or by Anderson when the shots were fired or before the shots were fired? A. Not a word.

Q. Where was your sister? A. She was standing with Anderson.

Q. Was she there when the first shot was fired?

A. She was when the first shot was fired at my brother.

Q. Where was she when you got hold of the arms of this defendant?

A. As soon as the first shot was fired I grabbed hold of him, she was there then.

Q. Did she say anything? A. No sir, she did not say nothing, she screamed and ran away.

Q. Was she there when the first shot was fired at you or had she gone? A. She was gone.

Q. So that she left after the first shot had been fired and it was shot at your brother? A. Yes sir.

Q. She remained there until you seized hold of the defendant's arms and left before he fired the first shot at you, is that right? A. Yes sir.

Q. Tell the Jury if you know, how it was you came upon one side of the street and your brother upon the other, was that in consequence of any arrangement? A. It was no arrangement, I suppose naturally he went on the other side.

Q. You went on the side on which you found your sister and the defendant? A. Yes sir.

Q. He crossed over to the other side of the street? A. Yes sir.

Q. You did not know his purpose? A. No sir.

By Mr. Townsend. Q. You did not know which way your sister and Anderson had gone? A. No sir.

By the Court. Q. You looked and found them together? A. Yes sir.

By Mr. Townsend. Q. Did you go to the hospital? A. Yes sir.

Q. When? A. That same night.

Q. Were you treated there and examined there by the surgeon? A. Yes sir.

Q. How many times did you go there?

Objected to.

A. I went there that night and I went there the day after, altogether I went there about seven or eight times. I would like to say a few words, Judge.

The Court: No, you cannot, you can talk to the District Attorney if you like.

LEVI F. WARNER, sworn and examined.

By Mr. Townsend. Q. Mr. Warner, your occupation is what?

A. Physician.

Q. Whereabouts are you stationed?
Hospital.

A. I am at St. Luke's

Q. In this city?

A. 54th Street and Fifth Avenue.

Q. Were you there on the 19th of February?
not swear as to the date.

A. I could

Q. Did you see Edward Hurton, have you seen him before?

A. I saw him, yes sir.

Q. When did you see him first?

A. I could not tell.

Q. Did you examine him

A. I examined him.

Q. What did you find?

A. I found a penetrating wound of the right thigh and also a slight laceration and two wounds in the left temple.

Q. Did you treat him for the wounds?
sistants treated him.

A. One of my as-

Q. He was treated, you know that to be a fact?

A. Yes sir.

Q. Was he there more than once in the hospital?
not say.

A. I could

Q. What were those wounds like, like gunshot wounds?

A. One of them presented the characteristic appearance of a pistol shot wound.

Q. Which wound was that?
part of the thigh.

A. That was the one on the fleshy

Q. What did you determine about the other wound?

A. I could not say positively.

CROSS EXAMINED by Counsel.

Q. What is your best judgment as to the other wounds, whether

they were gun shot wounds or not?

A. Is not that expert testimony?

It might have been a pistol shot wound.

Q. It might have been, your best judgment we want as to whether they were or not ----- you have had experience with pistol shot wounds in the hospital?

A. The two wounds did not look like pistol shot wounds, if so, they were separate and were two different shots; if so they were due to two different shots, there seemed to be no communication between the two wounds in the temple.

By the Court. Q. They were separate and distinct?

A. Yes sir.

By Counsel. Q. To the best of your judgment they were not pistol shot wounds?

No answer.

By the court. Q. The wounds upon the head, were they recent?

A. All.

Q. Were those all the wounds or injuries you know of?

A. Those are all the wounds or injuries that I know of, yes sir.

Counsel: I would like to recall the doctor after this witness (Thomas Hurton) is sworn.

THOMAS HURTON, sworn and examined.

By Mr. Townsend. Q. How old are you? A. Twenty-six.

Q. What is your business? A. Tool sharpener.

Q. Where do you live A. 223 East 58th Street.

Q. Who do you live with? A. With my mother.

Q. Mrs. Margaret Hurton who was here this morning?

A. Mrs. Margaret Hurton.

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Q. How long have you lived there with her? A. Since she moved there.

Q. The evening of the 19th of February, do you recollect it? A. Yes sir.

Q. Where were you that evening about seven o'clock?

A. I was lying in bed between seven and half past seven.

Q. Up in the third story of this house? A. Yes sir, the third story.

Q. Do you know the defendant? A. Yes sir, I have seen him before.

Q. Did you see him that night? A. Yes sir, I believe I did.

Q. Where did you see him? A. Coming out from the bedroom going down stairs.

Q. Did your mother say anything to you that night while you were lying on the bed? A. She did, yes sir.

By the Court. Q. Where was she when she spoke to you?

A. Right by the bed-room door.

Q. Had she said anything to you before that, did you hear her voice before? A. No sir, I did not.

Q. In consequence of what she said what did you do?

A. I got up quickly and went down stairs.

Q. How were you dressed? A. I had no coat on, only pants and shoes and a blue shirt.

Q. You went down stairs? A. I went down stairs.

Q. You have a brother, haven't you, Edward?

A. Yes sir.

Q. Did you see him that night? A. I was down ahead of my brother.

- Q. You ran ahead of your brother? A. Yes sir.
- Q. When you got down stairs where did you go? A. I went towards Third Avenue.
- Q. On which side of the street? A. On the down town side.
- Q. You crossed over the street? A. I crossed the street.
- Q. You live on the north side? A. Yes sir.
- Q. Then you went up towards Third Avenue? A. Yes sir, went up towards Third Avenue.
- Q. Walking or running? A. I went pretty quick, not what you call a run.
- Q. On a quick gait? A. Yes sir, a quick gait.
- Q. Which way did you see your brother, in the street or on the sidewalk? A. I seen him coming behind me.
- Q. Which way did he do? A. He went towards Third Avenue on the uptown side of 58th Street.
- Q. How far did you go up towards Third Avenue? A. I could not say, about three or four feet ahead of Anderson.
- Q. I am speaking with reference to Third Avenue, how far up towards the Avenue did you get, how near to the avenue did you get? A. I could not exactly tell that.
- Q. About a hundred feet? A. Yes, it must be about one hundred feet.
- Q. Then what did you do? A. Eddy called me and I went over.
- Q. Your brother called you? A. Yes sir, I ran over.
- Q. What did your brother say? A. He says, "hurry, Tom, here he is."
- Q. Which way did you go, you ran over across the street back to the north side? A. Yes sir, I came right across the street.

- Q. Who did you see and what did you see? A. I seen Anderson and my sister talking.
- Q. What happened then as you approached Anderson?
- A. When I approached him he put his hand in his back pocket and pulled out a revolver.
- Q. Look at that (pistol shown). A. That is the article.
- Q. That is the article, is it? A. Yes sir.
- Q. When did you first see this? A. In his hand.
- Q. That night? A. That night, yes sir.
- Q. Show the Jury how it looked to you as you came across the street, how he held it? A. He stood like this .
- (Illustrating.)
- Q. How near were you to him? A. As far as from here to that man there.
- Q. You were within ten feet of him? A. About ten feet as near as I can judge.
- Q. Did you see your brother? A. Yes sir, my brother was behind him.
- Q. What was your brother doing? A. He came right down behind him, I was in front of him, he pulled a pistol on me and he grabbed him.
- Q. What did he do? A. He held it in his hand, like that (illustrating), he continued standing holding it and my brother grabbed him; he fired one shot and my brother grabbed him.
- Q. He fired one shot and your brother grabbed him, is that true? A. Yes sir.
- Q. How did he grab him with reference to the arms?
- A. Right about here (showing).

Q. Above the elbow?

A. Yes sir, above the elbow.

Q. One shot was fired at you?

A. Yes sir, at me.

Q. You saw the flash of the pistol?

A. Yes sir.

Q. You were not hit?

A. No sir.

Q. Then what was done by Anderson?

A. As soon as the

brother grabbed him -----

By the Court. Q. Was it before or after he shot that your brother grabbed him?

A. After the shot once my brother grabbed him, he turned up his hand this way and he fired back over his shoulder.

By Mr. Townsend. Q. Anderson did,

A. Yes sir, back over his shoulder, then he dropped his hand and held him down here

like and Anderson turned back and turned the revolver and fired this way (illustrating).

Q. What were you doing, Tom?

A. I was going around him

I could not very well get around him.

Q. What did you want to get around him for?

A. To take

the revolver off him.

Q. Were you dodging?

A. I was dodging, I dodged the shots to get out of the way of that pistol.

Q. How many shots did you see fired?

A. Four.

Q. Then your brother testified that he heard a click, did you hear the click?

A. Yes sir, he says, "Tom, they are all gone, they are all fired now." Eddy knocked him

down and I got hold of the revolver and wrenched the revolver out of his hand, I took the revolver out of his hand.

Q. What did he do with the revolver?

A. I licked him

with his own revolver.

Q. You did?

A. Yes sir.

Q. What became of Anderson?
Avenue.

A. He ran down towards Third

By the court. Q. Did he run or walk?

A. He ran.

By Mr. Townsend. Q. What did you do then?

A. My sister got

hold of me and brought me upstairs.

Q. Where did your sister get hold of you, in the street?

A. Right in the street, in front of the stoop.

Q. How far from where the shots were fired?
the street one of my sisters -----

A. Across

Q. Not Linda?

A. No, another sister.

Q. Is she here?

A. No sir, she is not here.

By the court. Q. Where is she now, is she in New York?

A. Yes sir.

By Mr. Townsend. Q. Where does she live?
mother.

A. She lives with my

Q. That is a little girl?
all over.

A. Yes sir --- everything was

Q. Then you went back home and that is all you know about it?

A. Yes sir.

Q. Have you ever had any trouble with Anderson?

A. No sir.

Q. Have you ever had any words?

A. Never had any words.

Q. Do you carry a pistol?

A. No sir.

Q. Did you have a pistol that night with you?

A. No sir.

Q. You have been arrested before, haven't you? and have been
locked up?

A. Yes sir.

Q. Where were you locked up?

A. In the 57th Street Court.

Q. For how long?

A. For two days I went down to the Tombs
Police Court, the Special Sessions.

Q. What was done with you? A. From there to the Penitentiary.

Q. From there you went to the Penitentiary? A. Yes sir.

Q. How long were you in the Penitentiary? A. One year.

Q. What was that for? A. For fighting with Terrence Larkin.

Q. With the fist? A. Yes sir.

Q. How long ago was that? A. That is over two years ago, about two years ago.

Q. Since that time have you been employed, working steadily? A. Yes sir.

Q. And lived with your mother since? A. Yes sir.

CROSS EXAMINED by Counsel.

Q. What is your age? A. Twenty-six.

Q. What is your occupation? A. Tool sharpener.

Q. Where did you learn that trade? A. With James Slat-
tery.

Q. How many times have you been in prison? A. How many
times in prison?

Q. Yes? A. I was there twice.

Q. What prison? A. Once in the Workhouse and the next
time in the Penitentiary.

Q. For how long on each occasion? A. Well, a month on
one occasion and a year on another occasion.

Q. For what charges? A. One for assault and the other
for being drunk.

Q. You say the first word you had with your brother running
down the street, the first thing you said as you ran down
the street was, "there he is", meaning this defendant?

A. No, no.

Q. Did you testify to that? A. No sir.

Q. You ran down the street and you called to your brother,
"there he is"? A. NO.

Q. What did you say on that occasion? A. I did not say
nothing at all, it was my brother said it.

Q. Your brother said, "there he is? A. Yes sir.

Q. Meaning this defendant, you were running up towards him?

A. Me ----- no sir.

Q. Was it your brother? A. My brother was.

Q. Four shots were fired? A. Four shots was fired.

Q. You designate this as the article (pointing to pistol)?

A. Yes sir, that is the article.

Q. Are you familiar with fire arms? A. Not very familiar,
no.

Q. You identify this as being the revolver he used?

A. Yes, positively.

Q. Any particular mark about it? A. Well, being an
American Bulldog, that is the only thing.

Q. You know the different makes of revolvers? A. Yes sir,
that is a revolver.

Q. You had one that night yourself? A. No sir, I never
carried one.

Q. Did your brother? A. Not as I know.

Q. You say but four shots were fired? A. Yes sir, four
shots were fired.

Q. You took the revolver away from him and began to hammer him
with it? A. Yes, I did.

Q. Then he broke away from you, the defendant? A. Yes, he
got away, he left.

Q. He ran down the street? A. Yes sir.

Q. Did you discharge the revolver at him or gun, as you call it? A. I never had one.

Q. You did not? A. Never had one in my life, never carried one, never had no occasion.

Q. Had you ever had any conversation with this defendant before? A. Yes, I had one night.

Q. You knew him? A. Yes, I knew him.

Q. Has your sister been residing home recently? A. Yes sir, she comes, she is home now about a month or so, a little over; she makes her own living, she supports herself.

Q. Does she help to support you? A. No, no, never helped to support me.

Q. You live home? A. Yes sir.

Q. Had you been drinking this night in question? A. No sir.

By Mr. Townsend. Q. What is the object of your going, what was the reason why you went up Third Avenue.

Objected to .

Q. For what purpose did you go? A. I went to speak to him, what is the reason he pushed my mother down the hall, that was my intention to go up.

By Counsel Q. It was not to get your sister and bring her back?

A. Yes sir, I went to see both.

Q. Then you did not go to get your sister back home?

A. Yes sir, certainly.

Q. And also to find out the reason he pushed your mother?

A. Yes sir, that is just what I was going for.

By the Court. Q. When you went up to this defendant, when you got up to where he was, did you say anything to him?

A. No sir.

Q. Did he say anything to you? A. No, only pulled the revolver.

Q. He pulled the revolver immediately? A. Immediately pulled the revolver.

Q. Saying nothing? A. No sir.

Q. After the shot did he say anything? A. NO.

Q. You and your brother and this man were together?

A. Yes sir.

Q. Up to the time the first shot was fired was there no words spoken? A. Not a word between us.

Q. You saw your brother Tom go over and say, "here he is", what did you say? A. I was on the down town side, I say my brother was on the uptown side, he said, "Tom, here he is."

Q. Did you know your brother was looking for him?

A. No, I did not.

Q. You saw your brother on the street? A. No, up in the house.

Q. You saw your brother on the street, you saw him running when you were running? A. Yes sir.

Q. Tell me why you went to the south side? A. I thought they might cross over on the other side.

Q. Had you made any arrangement with your brother that you should go on one side and he upon the other? A. No, none at all.

Mr. Townsend: That is the case for the People.

THE CASE FOR THE DEFENCE.

Counsel opened the case for the Defendant.

EDWARD ANDERSON, sworn and examined by Counsel, testified:

- Q. What is your occupation? A. I am a carpenter.
- Q. What is your age? A. I am thirty-five.
- Q. Have you ever been convicted of crime? A. No sir, never have been arrested.
- Q. Are you acquainted with the witness Linda Hurton?
- A. Yes sir.
- Q. And upon this 19th of February you called at her place of residence?
- A. Yes sir.
- Q. Where was it? A. 323 East 58th Street I believe the number is, I would not be positive about the number.
- Q. Did you meet the witness Margaret Hurton, her mother?
- A. I did, down in the hall.
- Q. State what occurred? A. When I came down stairs Linda says, "come here", and I went back where they were; then Mrs. Hurton says, "Now you go about your business and let my daughter alone." I says, "your daughter is twenty-eight years old, she makes her own living and she can do as she likes about that." I said, "come on", and she raised her hand to hit me and I pushed her away.
- Q. The old lady Margaret, she raised her hand to strike you and then you shoved her away? A. Yes sir, she struck at me, I raised my hand up that way and pushed her away, that is all.
- Q. What else was said or done there? A. Then Linda and I walked out, then she called for the boys.

Q. You heard her call? A. Yes sir.

By the Court. Q. What did she call? A. She called Thomas I think, Linda and I walked on the street and went down towards Third Avenue.

Q. What occurred then? A. We got I suppose two hundred or two hundred and fifty feet from the house, Linda looked around and said, "here they come now, run or they will kill you." I says, "what", and by the time I was going to look around there was somebody got hold of me and hitting me on the ear and struck me on the ear and grabbed hold of me the same time. Thomas run around and headed me off and they kept on hitting me, my ears are all black and blue yet, I got hold of the pistol and fired one shot in the air I thought I would scare them away. It did not do any good, Thomas run around an angle and fired a shot and struck me; there is a hole in my pants and in the shoe, a wound to correspond --- at the same time they were hitting me from behind.

Q. Go on and explain just what occurred? A. Then I fired two shots by my side this way when they had hold of me.

Q. When they had hold of you around the arms you discharged your revolver at your side? A. Yes sir; then someone says, "it is all out", then they got me down and kicked me and took the revolver away from me.

Q. What else occurred? A. Then I heard a woman say, "there comes the police", and they all got up and left, I got up and walked down towards Third Avenue.

Q. They went home? A. I suppose so, I did not look.

Q. They went in an opposite direction? A. Yes sir.

Q. You say that you had been injured by Thomas?

A. Yes sir, I was shot by Thomas Hurton.

Q. How many cartridges did you discharge out of that revolver?

A. Four.

Q. There was one cartridge left in? A. That is what they say, I do not know.

Q. It is a five barrel revolver? A. Yes sir, five chambers.

Q. You say you discharged this revolver for the purpose of warding them off, to keep them away from you?

A. Yes, I did not take aim at anybody.

Q. They were close to you? you could have taken aim if you had been disposed to? A. Yes sir.

Q. How long have you known this witness Linda Hurton?

A. For about two years.

Q. Did you strike the old lady, the witness Margaret Hurton?

A. No sir, I had no occasion to strike her at all, I merely warded off the blows she was going to hit me, she made a blow to hit me.

Q. Immediately after the witness Linda Hurton said they would kill you they pounced right upon you, did they not?

A. Yes sir.

Q. And grabbed hold of you from behind and Thomas came in front of you?

A. Yes, he came in front of me.

CROSS EXAMINED.

By Mr. Townsend. Q. Have you seen that before (showing pistol)?

A. Yes sir, I think that is mine.

Q. You think that is the pistol you had. A. Yes, I never took -----

By the Court. Q. You haven't any doubt about it? A. That is the one I think.

Q. If there was one like it you would not be able to tell the difference? A. No sir.

By Mr. Townsend. Q. How long have you had that pistol?

A. Four years.

Q. And carried it all the time? A. No sir, I never carried it but twice in New York, I travel in the country and took it along with me.

Q. Shooting rabbits in the country? A. No, I never shot it off before, it has never been shot before that I know of.

Q. How did you carry it that night? A. On the 15th day of February, that was on Sunday if I remember right, I went home and I packed my trunk, I was going to leave my boarding place and this revolver laid on the shelf in the closet and in packing my clothes I put the revolver in the pants pocket and laid them in the trunk. Well, I failed to get a boarding place, my week was up on Monday and the Thursday night that was the 19th, I put those pants on and did not notice anything about the revolver, I did not know I had it with me until they attacked me; I thought of it and that is the way I come to have the revolver.

Q. Did you know those boys Thomas and Edward had been in the Penitentiary? A. I did not know it then, I heard it since.

Q. So at the time that you fired the pistol that night you did not know that they had been in the Penitentiary or convicted

of any crime?

A. I had heard of it, I did not know which one, I heard of it, that was all.

Q. Who told you?

A. I think Linda told me that once, I aint positive.

Q. Have not you shown that revolver to Linda before this occurrence several times?

A. No sir, I have not shown it to her.

Q. Did not you show it to her?

A. About a year ago or a little over it happened to be in my pocket and she wanted to know what it was; she got her hands on it and then I told her what it was.

Q. Can't you recollect another time?

A. No, I never had it in my pocket since; she says it is a bad thing to carry something like that, and I never carried it since.

By a Juror. Q. Did you see Thomas Huston have a pistol?

A. I saw him pull it out of his pocket and shoot me, it was an angle of about $22\frac{1}{2}$, the wound in the foot will correspond with that.

By Mr. Townsend. Q. Was it a downward shot?

A. In this direction, about 19 or $22\frac{1}{2}$, that is about the angle, there it is, the hole in my shoe, it went in there and came out in the center of my heel.

By the Court. Q. Which of those boys did you see first in the street?

A. I saw Thomas, he was in front of me.

Q. At that time did you know whether Edward was there or not, had you seen him?

A. I did not know who it was.

Q. Had you seen Edward up to that time?

A. No sir.

Q. How far was Thomas away from you when you first saw him?

A. I suppose about five or six feet.

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Q. In front of you? A. Coming towards me.

Q. Facing you? A. Yes sir.

Q. Do you know where Edward was at that time? A. At that time, I do not.

Q. Had anything happened to you up to that time?

A. Yes sir.

Q. What? A. Somebody struck me on the ear.

Q. Describe the character of that blow? A. It was done with the fist I suppose, I did not see it done.

Q. It felt to you like a blow of the fist? A. Yes sir.

Q. One blow? A. No sir, three or four, they hit me on that side too.

Q. How many did you receive on each side at that time?

A. I think it was four blows the same time he was holding me.

Q. Upon each side of the head? A. Yes sir.

Q. The feeling was to you of some person striking you with the clenched fist? A. Yes sir.

Q. While those blows were being inflicted what did Thomas do?

A. He was coming towards me.

Q. While he was approaching you somebody was striking you those blows, coming to you from behind, you can't say who struck you? A. I cannot say because I did not see them.

Q. When did you pull your revolver? A. While they were striking me.

Q. While Thomas was approaching those blows were struck?

A. Yes sir.

Q. What did you do with the revolver? A. I fired one shot in the air, I fired it right up in that way (illustrating) toward Thomas's head.

- Q. Thomas did not stop? A. No, he went right behind me then.
- Q. What next happened to you? A. This other shot.
- Q. You received a shot then immediately after? A. Yes sir.
- Q. Who do you say fired that shot? A. Thomas.
- Q. Did you see it? A. Yes sir, I saw him, I looked around.
- Q. He got behind you and fired? A. Yes sir.
- Q. When did you first discover that Edward was on the scene?
A. I did not know this man until the day of the trial, I recognized him as one of the men.
- Q. When did you first discover that that man was present?
A. Not until the shots were all fired, I think the shots were all fired, it was after they were down and they were hammering me.
- Q. How many persons hammered you? A. There was more than them two there.
- Q. How many persons took part? A. I can't tell, it was dark, there were several persons there.
- Q. Where was Linda? A. I do not know, the last I seen of her she was gone, I did not know where she went.
- Q. At what stage did she leave? A. She left about the time she says, "there they come, they will kill you" --- they had hold of me, I was facing towards Third Avenue.
- Q. When she told you, "there they come, they will kill you" --- what did you do? A. I was going to turn around, I did not have a chance to turn around, they were on to me.
- Q. How many persons attacked you at that time? A. There must have been two, one had hold of me and somebody else

was hitting me.

Q. It was not Thomas? A. No, Thomas was in front of me, he was the only one I knew at that time.

Q. You heard Thomas and Edward on the witness stand to-day?

A. Yes sir.

Q. And you heard them both say as they approached you you drew a revolver and fired at Thomas? A. Yes, I heard it.

Q. What do you say about it? A. It is not so.

Q. You heard them say that that shot had been fired before anyone had hold of you? A. Yes sir.

Q. What do you say about that? A. It is not so..

Q. You heard Edward say, did you not, that while he had hold of you you first took the revolver over your left shoulder and that then you turned it about and fired, is that correct? A. That is correct.

Q. How many shots did you fire in all? A. Four.

Q. Tell us the direction in which you aimed them all?

A. I did not aim them at all.

Q. You must have aimed them somewhere? A. I fired it in the air once, I put the revolver over my shoulder, I think on the left side, I would not be positive, it may be the right side.

Q. Did you hear the doctor testify there were two abrasions on the left side? A. Yes.

Q. Can you explain how those two wounds came there?

A. I do not know, I could not say.

Q. You say you only fired one shot in the direction of Edward's head? A. That is all.

Q. After the firing, after the pistol was taken from you, you were struck with it, were you not? A. I do not think

I was, they kicked me.

Q. You got up, did you? A. After they left me.

Q. Did they let go of you? A. Yes sir.

Q. They left you lying on the ground and you got up?

A. Yes sir.

Q. Where did you go? A. I went uptown to Third Avenue to a friend of mine, 208 110th Street.

Q. Do you live there? A. No sir.

Q. What is the name of the persons you went to see?

A. The name is Delaney.

Q. How long did you stay there? A. I stayed there until Saturday.

Q. How did you go to 110th Street? A. I went on the cars.

Q. Did you take the train or horse cars? A. I took the elevated I think at 67th Street.

Q. And went to Delaney's house in 110th Street?

A. Yes sir, I stayed there until Saturday afternoon, I was not able to get out.

Q. From what were you suffering? A. I was stiff and sore all over, I could hardly see, I could not walk on my foot.

Q. You were assaulted on that night, those parties assaulted you, and the acts that you did you did in self-defence, that is so, is it not, Anderson? A. Yes sir.

Q. That being so, you remained in Delaney's house ---- was this Thursday? A. This was Thursday night.

Q. You remained how long? A. Until Saturday afternoon.

Q. Then did you go out? A. I went down to the boarding house.

Q. Where is that? A. 51st Street between Second and Third Avenues.

- Q. How long did you stay there? A. I took the balance of my things and went out.
- Q. Where did you go? A. I went to another friend of mine down in Staten Island, Grasmere.
- Q. Who did you go to see? A. A friend of mine, Benson.
- Q. How long did you stay there? A. Until Monday morning and then I came back to New York and went to 51st Street to the precinct and told my story.
- Q. Did you make a complaint? A. No, I told them what had happened.
- Q. What took you to 51st Street precinct? A. Because I was told they were looking for me.
- Q. When had you heard that? A. I heard that on Saturday afternoon.
- Q. Up to the time that you heard they were looking for you, you made no complaint to any official? A. No, I did not make any complaint.
- Q. On Saturday you went to Staten Island, is that right? A. I went to Staten Island and remained until Monday.
- Q. What time Monday was it you went to the Station House? A. In the afternoon.
- Q. Your going to the station house was by reason of the fact that you heard they were looking for you? A. They told me so, I thought it was the best thing to do, his name is Beno, he is a book-keeper in a milk store ---- when the detective was standing there looking for me.
- Q. Were you put under arrest then at that time and have been ever since? A. Yes sir.
- By Mr. Townsend. Q. Who advised you you had better go and give yourself up? A. I could not tell you exactly who it was.

Q. Did not your foreman tell you to? A. What foreman?

Q. Have you ever had a foreman? never worked under a foreman?

A. Yes, certainly I have.

Q. Did not he tell you? A. NO.

By the Court. Q. Did anyone tell you? A. No one in particular said I should do it.

Q. Did anyone tell you to go and give yourself up?

A. They did not care to advise me, Philip Vincent I think advised me.

Q. That is the man in Staten Island? A. Yes sir.

Q. Did anybody else advise you? A. No sir.

By Mr. Townsend. Q. Do you know anybody in 15th Street and Fifth Avenue? A. Yes sir, I know a good many people there, I could not tell you whether they were or not when I left.

Q. Did anybody there tell you you had better go and deliver yourself up? A. No sir.

Q. A man by the name of Munroe? A. I do not know a man by that name.

Counsel: We rest here.

The Jury rendered a verdict of guilty of assault in the second degree.

0791

Testimony in the
case of
Edward Anderson

filed
March,
1898

12.

THE JACOBI

CONTRACT COMPANY, NEW YORK, N. Y.

0792

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Edward P. Anderson 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. *Edward P. Anderson*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *MS.*

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

Answer. *217 E 5th St*

Question. What is your business or profession?

Answer. *Carpenter.*

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

Answer. *I am not guilty.**Edward P. Anderson*

Taken before me this

*24th*day of *February* 1891

Police Justice

0793

POOR QUALITY
ORIGINAL

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.....

Pen 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.....18

John Ryan Police Justice.

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

Dated.....18

Police Justice.

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

Dated.....18

Police Justice.

0794

POOR QUALITY
ORIGINAL

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court---

277
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward Anderson
347 & 6122

2

3

4

Dated

1889

Magistrate.

Officer.

Precinct.

Witnesses

No.

No.

No.

Street.

Street.

\$ 1000 Co. G.S.

\$ 1000 bail & fee 25-3-5

0795

Sec. 151.

POLICE COURT, 4 DISTRICT.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned one of the *Police*
Justices for the City of New York, by *Edward Anderson*

of No. *344 E. 61* Street, that on the *19* day of *February*
1890 at the City of New York, in the County of New York,

feloniously and Edward Anderson
he was violently **Assaulted and Beaten** by *who discharged a loaded pistol at complainant*
striking him with three balls therefrom

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 each and every of you, to apprehend the said Defendant and bring *him*
forthwith before me, at the *4th* 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 *23* day of *February* 18*90*

W. Anderson POLICE JUSTICE.

Police Court.....District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-A. & B.

Dated.....188

Magistrate.

Officer

The Defendant.

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

Officer.

Dated _____ 188

This Warrant may be executed on Sunday or at night.

Police Justice.

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

Dated

The within named

Police Justice

0797

Police Court

District.

City and County } ss.:
of New York,

of No.

347 East

Edward Hurton

Street, aged 22 years,

occupation

Machine Hand

being duly sworn

deposes and says, that on the

19th

day of

February

1891

at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Edward Anderson

who while on 58th Street on said date
did point aim and discharge
a loaded revolving pistol at
deponent one of the balls therefrom
striking deponent on his head
and that striking deponent
on his right thigh

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

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

Sworn to before me, this

23rd day

of February 1891

Edward Hurton

W. W. Mahon Police Justice.

0798

STENOGRAPHER'S MINUTES.

H District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

Edward Hurton

vs.

Edward Anderson

BEFORE HON.

John J. Ryan,
POLICE JUSTICE,*July 25th 1891*

APPEARANCES:

For the People,

For the Defence,

Thomas Murray, Esq.
July 25th 1891

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George H. Hayes

Official Stenographer.

0799

DISTRICT POLICE COURT.

THE PEOPLE
ON COMPLAINT OF

Edward Norton

agst.

Edward Anderson

Examination had

July 23rd 1891

Before

John J. Ryan Police Justice.

I, *George Zieger* Stenographer of the *4th* District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of *Edward Norton & Co.*

as taken by me on the above examination before said Justice.

Dated

July 26th 1891

George Zieger
Stenographer.

Police Justice.

Fourth District
Police Court

Edward Norton

- vs -

Edward Anderson

Before Hon.
John J. Ryan,
Justice

New York, July 25th, 1891.

Thomas Murray, Esq
appears for Defendant.

Edward Norton, the Com-
plainant, swears, tes-
tified as follows:

By the Court

Q Were you shot on the 19th
of February?

A Yes sir

Q Where?

A Fifty eight street between
second and third Avenues.
about quarter to eight
or half past seven.

Q Who shot you?

A This man here, Edward
Anderson.

Cross-Examination

By Mr Murray:

Q Where was Anderson at the
time?

A He was about one hundred
feet away from my door
Q In 58th St. near Third
Avenue?

A Yes, sir, between Second
& Third Avenue.

Q Who was present at the
time besides yourself?

A My brother was there.

Q And your sister also?

A My sister was there

Q Who else?

A That's all.

Q What took place before
you were shot?

A Thursday evening I came
down to my mother's
house - I live in 61st St.

My sister was in the hall talking to another girl. My sister went in the front room as soon as I came in. This gentleman (Anderson) was sitting in there. As soon as she went in my mother came. I heard my mother "holler". I didn't know what was the matter. My mother came up all excited. I ran down and I thought I would protect my sister. I went down and she said he went towards Third Avenue. I went after him, and my brother went on the other side. As soon as he saw my brother coming across the street Anderson put his hand in his pocket and pulled out a pistol. I

grabbed him around the arms and he put two shots in me.

Q At that time did he have these black eyes?

A I don't know whether he did or not. It was dark when I saw him.

Q While you were holding him by the arms at the time of the shooting - what was your brother doing?

A He was trying to get the gun from him.

Q What do you work at?

A I work in a Curry Comb Factory.

Q How often have you been convicted of crime yourself?

A Twice.

Q And served a sentence upon both convictions?

A Yes sir

By The Court

Q What for?

A Lacceny.

By Mr. Murray:

Q Didn't you have one conviction for cutting a man?

A No, sir.

Q How long have you known this defendant?

A I didn't know him before - never spoke to him.

Q Did you ever see him before?

A Yes, sir.

Q He was keeping company with your sister, wasn't he?

A That is what I believe.

Q He was with your sister at the time you and your brother went after him?

A Yes, we went down to protect her.

Q Did your sister ask for protection?

A Yes, sir.

Q Had the man doing anything to your sister that she needed protection?

A Not when I seen him.

Q And only you and your brother were there?

A That's all.

Q And you were holding his arms from behind while your brother was in front?

A Yes, sir, I was saving my brother from getting shot and I got shot myself.

By the Court:

Q Why did you run out after the defendant — who told you to?

A My mother, because my mother told me he was going to shoot my sister.

Margaret Hurton, sworn,
 testified as follows:

By the Court:

Q Where do you reside?

A 223 East 58th Street.

Q Do you know anything
 about this trouble between
 your son and the defendant?

A Yes sir. - Edward Anderson
 was in my room and I
 wanted to call my daughter
 out to tell her something
 and I called her down
 in the hall. Anderson
 was in the front room.
 I was talking to my
 daughter in the hall
 and Anderson came right
 through and he said "Come
 on" I said "you keep away
 I don't like you" and
 he said "Come on" I put
 my hand to his breast
 and shoved him away.

I said 'I don't like your looks' and he shoved me against the banisters and I 'hollered' out 'Tom, Tom, he is taking her away now' He said 'I don't care for your son' and he put his hand in his pocket and took out a pistol. Then I run upstairs for my son. My son was lying on the bed.

Cross Examination

By Mr Murray:

Q You said your sons were lying in bed when you came up?

A Tom was, lying in bed. when I came upstairs
Q Does Edward live home with you?

A He comes to visit me.

Q How old is this daughter
you speak of?

A About 24 or 25 years.

Q How long have you known
Anderson?

A Over a year.

Q Did you go out when
your son went out
after Anderson and your
daughter?

A Indeed, I was not able.

Q You don't know what
took place after they
left your house?

A No sir; my son got what.

Linda Hurton, sworn,
testified as follows:

By the Court;

Q Where do you live?

A 223 East 58th Street

Q Do you know anything
about this trouble between
this man Anderson and you

brother? Your mother stated here that Edward Anderson was in a room in your house and she called you out and said something to you and Anderson came out and demanded you to come along with him?

A I went out with him in the street and we stood talking. My brother came along and I told him to run, but he didn't run.

Q What for?

A I knew there was going to be a quarrel and I tried to avoid it. What happened after that I can't say.

Q Why did you ask him to run?

A I knew my mother never

liked me to go with him.
 Q Do that all you know?
 A That's all.

Cross Examination

By Mr Murray:

Q You were in the hall
 when your mother called
 to the boys?

A Yes sir.

Q Did the defendant
 threaten to shoot you in
 the hall?

A No sir, he didn't threaten
 to shoot me.

Q How far was you away
 from the house when
 your brothers came up?

A About half a block.

Q Who else was with your
 brother?

A I couldn't say who was
 with him.

Q Was you with Anderson
 at the time they came up?

//

A Yes, sir.

Q What first took place when your brothers came up?

A It was all done so quickly that I really didn't know what happened.

Q What did your brother Edward do?

A I think he came behind and took hold of Anderson's hands.

Q What did Tom do?

A He came in front of him, but I didn't see what happened.

Q Was there any pistol fired at that time?

A It all happened in one moment, so I don't know.

Q Did you see Anderson knocked down and beaten before any pistol shots were fired?

A No, sir, I didn't stay long enough for that.

Q How many were there at the time there was any shooting of the pistol?

A There was a crowd - mostly all children.

Q Did anybody but your two brothers attack the defendant?

A I don't think so.

Q Do you know how long after he was attacked before there then was any shooting?

A No.

Q All you remember is that your brother was holding the defendant by the arms and your other brother was in front of him.

A That is all.

Q How long have you known this defendant

A Two years.

Q And your folks know you are acquainted with him?

A Yes sir

Q And keeping company with him?

A Yes sir

Q And there has never been any objection?

A My mother always objected.

Q How old are you?

A Twenty eight.

James.
James Hurton, sworn,
testified as follows:

By the Court:

Q Where do you live?

A 223 East 58th St

Q You were present at the time of the shooting of your brother?

A. I was lying in bed that evening about half

past seven o'clock, and my mother came up to me and said "Run down or Linda will get killed. I run down in the street on the other side of 58th Street, and Anderson was quarreling with Edward and he (Anderson) pulled out his gun and Edward caught him by the two arms and he (Anderson) fired four shots in succession. He then broke away from my brother and he pointed the gun to fire the fifth shot but the revolver didn't go off. We went for him then and took the revolver out of his hand. In the meantime he got away and that is all I know about it.

Cross Examination.

By Mr. Murray:

Q What do you work at?

A. Fool sharpener

Q Who do you work for?

A James Slattery.

Q How often have you been convicted of a crime?

A I was never convicted of a felony in my life.

Q Were you convicted of assault?

A Yes, sir.

Q Did your sister call on you to protect her?

A Never.

Q When you first saw the defendant where was he in the street?

A In 58th Street near Third Avenue.

Q You and your brother ran from the house after him — did you not?

A I didn't see my brother until he was on the street.

Q Did you run from the

house after him?

A Yes, sir.

Q Your brother was holding him by the arms while you were in front of him?

A I was in front of him when my brother had hold of him.

Q Was there any pistol shot fired until after he was struck?

A All the shots were fired before he was struck.

Q What was your purpose in coming down?

A My mother came up and told me her life was in danger - that is, my sister.

Q Do you know whether he threatened to kill her?

A I didn't myself, but others did. My purpose in coming down was to protect my sister.

Q Your sister never called on you for protection?

A. I went down because my mother told me to go.

Linda Hurton, recalled.

By Mr Murray:

Q Did the defendant ever threatened to assault you?

A. He never threatened to shoot me. I might have said so to them but he never did.

Q Did you say so to them that night?

A. Never.

By the Court:

Q You said you might have told them but that the defendant never did threaten to shoot you?

A. I never said it.

By Mr Murray:

Q And he made no threats

that night?

A He came to see me to take me out.

Q He has frequently taken you out before?

A Yes, sir.

By The Court:

Q Did your mother object to his coming to the house before that?

A Yes, sir.

By Mr Murray:

Q Had he been to the house before that?

A Yes, not very often.

Edward Anderson, the defendant, sworn, testified as follows:

By Mr Murray:

Q What is your business?

A Carpenter

Q State to the Court just what

occurred?

A On Thursday evening I went up to Linda's house. We were going out together. Her mother called her out of the room. I got tired of waiting and went out in the street. They were on the first floor and Linda called me to come back and I said "What is the matter, ain't you coming out?" She said "Yes" and Mrs Hurton said "you go home about your business and let my daughter alone" I said "Your daughter is her own boss, isn't she? If she has a mind to go out with me she can" Then Mrs Hurton put up her hand to strike me and I pushed her away and then she "hollered" to the boys.

By The Court,

Q Do you know you were objectionable to the family?

A I never knew of that before.

By Mr. Murray:

Q Were you ever forbidden to come to the house by the mother?

A No, sir.

Q You went out with the daughters?

A Yes sir, and she 'hollered' to the boys to come down. We started to go out. When we got down about three hundred feet Linda said 'Here they come now' and I looked around. By the time I turned around somebody hit me in the ear. I don't know who it was. Tom run around in front of me and Edward was in the back.

By the Court:-

Q Have you got a permit to carry a pistol?

A No, sir.

Q Why did you carry it?

A Because Linda told me to look out for him.

Q And still you went to her mother's house?

A She asked me to come there. Thomas stood in front of me and as they hit me I fired a shot in the air. I thought it would scare them away, but it didn't. Thomas then run around behind me - there was a shot fired and I got shot in the heel. Then I fired over my shoulder.

Q Did you see any pistol in the hands of anybody?

A I saw a pistol in Thomas'

hand.

Q Was he in front of you?

A. He was in front of me.
and ran behind me and
there was a shot fired and
I got hit in the heel.

By Mr Murray:

Q You say one shot you
fired over your shoulder
and the other you fired
where?

A Down on the side.

Q Did you draw your pistol
or discharge it until after
you were held by the one
and beaten by the other?

A No sir. Somebody hit me
on the ear; I don't know
who it was. It was not
Thomas because he was
in front of me.

The Court:

(To Edward and Thomas Norton)

Q Did either of you have a
pistol? 73

A No, sir.

Q (To Linda Hurton)

Did you see a pistol in your brother's hand?

A No, sir.

Q (To Margaret Hurton)

Did you tell the defendant you didn't want him in your house?

A Yes, sir. I told Tom he would shoot Linda that night. He showed me the pistol in the hallway when I was talking to my daughter.

Q That is your home?

A Yes, sir.

By Mr Murray:

Q You didn't forbid this defendant coming to your home?

A I never liked his looks. I said he looks like a murderer.

0825

Defendants counsel
moves for the discharge
of the defendant.
Motion denied.

24

0026

Edw. Norton

4 District Police Court.

Edward Norton

vs.

Edward Anderson

STENOGRAPHER'S TRANSCRIPT.

May 23 7 1881

BEFORE HON.

John J. Ryan

Police Justice.

George H. Ryan

Official Stenographer.

0827

Purdy & Mc Loughlin,

Dear Sirs:

On the 19th day of February I called at the residence of Mrs. Hunter for her daughter Linda; we were going out to a friend of hers. While I was waiting in the front Parlor her mother called her out. Becoming tired of waiting I went out then down stairs; when I got down to the first floor Hall Mrs. Hunter and Linda were in the rear. Linda called me back. I went back. Then Mrs. Hunter said, "now go on about your business and let my daughter alone". I said "your daughter is 28 years old and makes her own living, she can do as she pleases." I said "come on". Then Mrs. Hunter raised her hand to hit me, and I pushed her away. Then Mrs. Hunter called for the boys. Linda and I walked out of the Hall down towards 3rd Avenue about 300 ft. from the door. Linda looked around and said to me, "there they come, they will kill you"; and by the time I looked around they were surrounding me. The only one I knew was Thomas Hunter. He came in front of me while the others came behind. Hitting me then taking both of my hands from behind. I then saw that they were going to be dangerous. I got the revolver from my pocket and fired one shot in the air. Then Thomas ran around behind me and pulled a revolver and shot me in the heel. The same time they were holding and hitting me from behind. Then I fired one shot over my shoulder, then two shots at my left side; then some one said he is all out; then they

0828

got me down and kicked me and took the pistol away from me. I called "Police", then I heard a woman say "there comes a police" and they all left me. I got up and walked down 58th Street then up third Avenue.

Yours Fraternally,

E. P. Anderson.

To

Linda conversation; my statement all the way through.

I did not take aim at anybody.

Witness as to injury,

Philip Benson,
8 Varick Place.

Facts.

Linda Hunter,
1938 Lexington Ave.,

Robert King,
531 W. 31st.

U. S.

THE PEOPLE Etc.,

Plaintiff,

against

E. P. Anderson

Defendant.

STATEMENT

PURDY & McLAUGHLIN,

Attorneys for Defendant,

No. 280 Broadway, New York City.

0029

0830

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward Anderson

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

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

The said Edward Anderson

late of the City of New York, in the County of New York aforesaid, on the nineteenth day of February, in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, at the City and County aforesaid, in and upon the body of one Edward Hurton in the peace of the said People then and there being, feloniously did make an assault and to, at and against him the said Edward Hurton a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said Edward Anderson in his right hand then and there had and held, the same being a deadly and dangerous weapon wilfully and feloniously did then and there shoot off and discharge, with intent him the said Edward Hurton 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 Edward Anderson of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Edward Anderson

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 Edward Hurton in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against him the said Edward Hurton

a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said Edward Anderson

in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Lancey McCall
JOHN R. FELLOWS

District Attorney.

0831

BOX:

429

FOLDER:

3960

DESCRIPTION:

Anderson, Elizabeth

DATE:

03/06/91



3960

0832

POOR QUALITY
ORIGINAL

Witnesses:

Antonio Meari

Counsel,

Filed

6

day of

1891

Pleads,

Guilty

THE PEOPLE

vs.

Elizabeth Anderson

29/13
135/13

DE LANCEY NICOLL

JOHN R. FELLOWS

District Attorney.

A True Bill.

Alfred Kamey
Foreman
Jury
Pete Lavery
Cm. Ben. J.

0833

POOR QUALITY
ORIGINAL

Witnesses:

Antonio Meani

Counsel,

Filed

6

day of

March 1891

Pleads,

Guilty

THE PEOPLE

vs.

Elizabeth Anderson

29/3
1357

DE LANCEY NICOLL

JOHN R. FELLOWS,

District Attorney.

Grand Larceny, 3rd Degree.

(From the Person.)

[Sections 598, 599, 600, Penal Code.]

A True Bill.

Alfred Kamea
March 1891

Foreman
J. J. L. L. L.
6 men per J. J.

0834

Police Court

District.

Affidavit—Larceny.

City and County } ss:
of New York,

Antonio Miano
of No. *167 Seventh Avenue* Street, aged *41* years,
occupation *Laborer* being duly sworn,

deposes and says, that on the *1st* day of *March* 189*1* at the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
the ~~night~~ *day* time, the following property, viz:

*Five dollars good and lawful
money of the United States*

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 *Elizabeth Anderson* (now here)

for the reasons that deponent
was in the defendants' apartment
and was having sexual intercourse
with the defendant and had
paid money in a pocket of the
vest then worn on his person.
Deponent felt the defendant
insert her hand in said pocket
and take something therefrom
and deponent then missed his
pursi in which said money was
carried by deponent

Antonio Miano

Sworn to before me, this *2nd* day

of *March* 189*1*

John Anderson
Justice

0835

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

2 District Police Court.

Elizabeth Anderson 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. *Elizabeth Anderson*

Question. How old are you?

Answer. *29 Years.*

Question. Where were you born?

Answer. *Virginia*

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

Answer. *135 West. 3rd Street. About 2 years.*

Question. What is your business or profession?

Answer. *House Keeper*

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

Answer. *I am not guilty and demand to be tried in the Court of Special Sessions*

Elizabeth X Anderson
mark

Taken before me this

2nd

day of March

1891

Minister
1891

Police Justice

0836

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 March 2 1891 D. T. McMahon 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.

0837

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Antonio Miano
767 1/2 Seventh St
Elizabeth Anderson

Officer Lance
Robert

3
4

Dated March 2 1889
McMahon Magistrate.
Dowling Officer.

15 Precinct.

Plaintiff committed
to House of Detention
in default of \$100. Bail

No. _____ Street.

No. _____ Street.

\$ 1000 to answer H. Sp

1000 bond



BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

0838

CITY AND COUNTY OF NEW YORK. ss.

POLICE COURT, 2nd DISTRICT.

James A. Doarigan
of No. 15th Street, aged 35 years,
occupation Police Officer being duly sworn, deposes and says
that on the 1st day of March 1891

at the City of New York, in the County of New York. Antonio Maino

(now here) is a material witness
for the People against Elizabeth
Anderson. Said Maino has no
means or a permanent home and
and deponent fears that he, Maino
will not be found and deponent
asks that Maino be sent to House
of Detention in default of entering into
a recognizance for his appearance.
James A. Doarigan

Sworn to before me, this

of March

1891

John J. Anderson
Police Justice

47
The People

Elizabeth Anderson

Debut of General Sessions Part I
Before Judge Fitzgerald. March 12, 1891

Indictment for grand larceny in first degree
Antonio Miami, sworn and examined through
the Interpreter testified. Where do you live? Live
No 182 Twentieth street near Seventh Avenue. What
is your occupation? Day laborer. Where were you
on the first of March in the evening? I was pass-
ing through a street, the name of which I do not
know. I met that woman at the bar; it was in
the city of New York. What did you say to the wo-
man and what did she say to you? The woman
called me and says, "John, John, do you want
to come and make trick or track?" What did
you say? I followed her. Where did you go?
She took me into her own room. What did you
have in your pocket, if anything? I had a
five dollar bill and 25 cents in small money.
Where was the five dollar bill, in what pocket?
On the right hand side pocket of my vest. In
what house was the room? I don't know the
name of the street, but I know it was on the
first floor. Was anybody else in the room?
No sir, but afterwards somebody came in; she
went out and called somebody in and I re-
ceived several blows on the head. Did they go
to that room for the purpose of having sexual
intercourse? Yes. Did they have it? Yes sir.
Was it agreed that he was to pay her anything?

Yes sir. How much was he to pay her? Twenty five cents. Did you pay her? Yes sir. During all this time up to that occurrence were they alone in the room? Yes sir, we were alone. What pocket did you have the 25 cents in? In the same pocket, the right hand side of the vest. Did you take off the vest? I took off the coat only. I had the vest on. You had the vest on all the time? Yes sir. When you got through with your sexual intercourse what did you do? I did not finish my business because I saw her putting her hand in my pocket while I was doing it. What else did you see her do? As soon as I was on top of her I saw her immediately put her hand into the pocket and then I got off. Did you say anything to her? No sir. Did she say anything to you? I got up and she threw hot water on me and shoved me off. Did you miss your five dollar bill? Yes sir. I found that the five dollars were missing as soon as I got off the bed. There was no one in the room up to that time? No sir. Did you ever get your money since? No sir.

Cross Examined. I live at No. 162 Twentieth street. Who do you live there with? I live with an Italian woman of the name of Millaro. I board with her. What time of day was it you met this woman? It was in the evening of Sunday the

first of March about nine o'clock. There had you
 just come from? I went out and I was coming
 back from having a visit with some of my
 countrymen in Mulberry street. Tell us who
 you visited that afternoon? I went to visit a
 countryman of mine named Salvatore DeLuca.
 Where does he live? He says, "Crosby" street, but
 I suppose he means Crosby street. What did
 you mean a moment ago by saying that
 you visited some of your countrymen in Mul-
 berry street? I went both to Mulberry and Crosby
 street. Where did you go in Mulberry street?
 I did not go into any place in Mulberry st.,
 but we walked up and down the street. I walked
 with this man I have just named. Did you
 go to this man's house? I saw him as far
 as the house and then I went about my bus-
 iness. What time did you leave your own house
 that day in Twentieth street? I left my house
 about noon. Then what were you doing from
 noon until ten o'clock at night when you
 say you met the defendant? I walked about.
 Did you have your dinner during that time?
 Yes. I had my dinner before I left the house;
 it was about noon. Can you tell us any per-
 son that you met and spoke with during that
 time from twelve o'clock at noon until ten
 o'clock at night except this man that you
 say lives in Crosby street? No sir. I did not

meet anybody. I was going about by myself. Did
 you meet with any other woman before you
 met with the defendant or spoke to any? No sir.
 Did you stop anywhere or go into any house dur-
 ing all this time? No sir. I was always on the
 street. What were you doing in Third street where
 you met this woman? I was going to my own
 home. What is your business? I work with the
 shovel. Where were you working at this time? I was
 not working that day. Where were you working the
 day before this? I am not working just now because
 we have got no work. How long had you been out
 of work? About three months. You had been out
 of work for ^{two} three months? Yes sir. What was the
 last work you were at when you did work?
 We worked the last time at Delmar, some name
 that he cannot pronounce. What was the kind
 of work? Railway work. What were you doing.
 What was the particular work? Preparing the
 road for the rails. How long had you been
 doing that work? Five months. How much
 were you paid a day? One dollar and twenty
 cents a day. How long before you went with the
 defendant into that room had you seen this
 five dollars which was in your vest pocket? I
 saw it when she put her fingers in my
 pocket and drew it out. Where did you get
 that five dollars? It was the balance of my earnings.

47
The People

Elizabeth Anderson

Debut of General Sessions Part I
Before Judge Fitzgerald. March 12, 1891
Indictment for grand larceny in first degree
Antonio Miami, sworn and examined through
the Interpreter testified. Where do you live? I live
No. 182 Twentieth street near Seventh Avenue. What
is your occupation? Day laborer. Where were you
on the first of March in the evening? I was pass-
ing through a street, the name of which I do not
know. I met that woman at the bar; it was in
the city of New York. What did you say to the wo-
man and what did she say to you? The woman
called me and says, "John, John, do you want
to come and make trick or track?" What did
you say? I followed her. Where did you go?
She took me into her own room. What did you
have in your pocket, if anything? I had a
five dollar bill and 25 cents in small money.
Where was the five dollar bill, in what pocket?
On the right hand side pocket of my vest. In
what house was the room? I don't know the
name of the street, but I know it was on the
first floor. Was anybody else in the room?
No sir, but afterwards somebody came in; she
went out and called somebody in and I re-
ceived several blows on the head. Did they go
to that room for the purpose of having sexual
intercourse? Yes. Did they have it? Yes sir.
Was it agreed that he was to pay her anything?

from the last money I got for working. For some
 three months before that? Yes sir. How much had
 you when you quit work three months before
 that? I had eighty dollars. Do you mean that you
 had spent all the eighty dollars except that five
 dollar bill? Yes. I had spent everything and I
 had left only five dollars and twenty five cents.
 Had you been in the premises you say you
 went into with the defendant before on that same
 day? No sir. How long were you in the room
 all told? The utmost ten minutes. Where did you
 meet the defendant, how far away from the
 premises? I met her near her door. You went from
 the sidewalk into her room? Yes. Was the room
 close to the sidewalk? No, before we got into her
 room we walked a distance of about from here
 to the wall. Did you see anybody else in the prem-
 ises? No sir. How much of your clothing did
 you say you took off? Only my coat. Are
 you sure of that? Yes. Did you not say on
 your direct examination that you took off your
 pantaloons as well as your coat? No sir.
 You say you saw the defendant put her hand
 in your vest pocket? Yes. Did you see the
 hand come out of the vest pocket, yes or no?
 Yes. What was in the hand where it came out?
 I saw the five dollar bill. What did you say
 to her then? I said, "Give me back my money."
 At that time, as I understand, she was under-

neath you and you were on top of her? Yes, and then I jumped off. I did not try to get the bill back before I jumped off. I commenced hallooing "Give me back the money." Then she threw some hot water on me and ran out and called assistance and a colored mare came in. He took hold of a chain and commenced giving me blows with a chain; she took a kettle of hot water from the stove and threw it on me; it was boiling water; she threw it all over my body. I had on my clothes at this time.

James A. Bernigan sworn. I am an officer of the 15th precinct and arrested the defendant, this colored woman on March the first. I arrested her on the complaint of the Italian for stealing five dollars. Where did you arrest her? At No. 135 West Third street. It was nine o'clock in the evening when he arrested her. I asked her if she had taken this man's five dollars and she said she had not; she acknowledged the man was in her room and gave her 25 cents; she did not know anything about the five dollars. I searched around the room to see if I could see any evidence of the pocket book that he claimed the five dollars was in and I could not see any. What kind of a passage way is there from the street to where the room is? It is an alleyway about six

feet wide and about forty feet long. It is on the first floor two or three steps up in the rear. There was in the room a table, chairs, a bed and carpet on the floor; there was also a lamp and a stove; there was fire in the stove. I did not notice anything on the stove. I saw nobody else there beside this woman; she came to the door and opened it for me after I knocked. Before this the Italian spoke to me and as near as I could understand he had lost five dollars. I afterwards got an Italian and he explained the matter more fully. Then I went up to the house of the defendant; she denied taking the money.

Cross Examined.

I did not find the five Dollars or any money at all. I looked around; she did not seem excited or agitated when I went there. I did not take any notice of boiling water there. I guess it was about nine o'clock when I made the arrest. I did not notice any water on the clothes of the Italian; it was dark; he did not say anything to me at the time about water being thrown upon him. He told me through the Interpreter that he had been struck blows. I did not see his clothes wet.

Elizabeth Anderson, sworn and examined in her own behalf testified. I had been out on that Sunday all day long. I guess it was about 8 o'clock when I came in the hallway and the Italian was standing in the yard. I did

not pay any attention to him. I thought he had
 been up stairs. So I goes in and commences
 to fix the fire; the fire had been nearly out. Was
 out all day. There was a bright light in the house
 I turned it up, and he (the complainant)
 walks in. I says, "Who are you looking for?" He
 had the 25 cents in his hand, and he says
 to me, "Trick a track,--" I says, "Get out of here."
 He goes down off the steps and stands in the
 yard. I says to a colored man, Mr. Lilly's
 brother, will you get me a pint of beer? He
 says, 'yes'. I sets down and the Italian comes
 in again. I shut the door in his face, and
 the first I knew the officer came in and he
 said I stole five dollars off him. The boys there
 halloed, "That Italian has been round here
 for the past hour or so,
 and he has been in big Florence's room".
 He lives up stairs. I was not with the man.
 I would not be guilty of his five dollars. I am sitting
 here an innocent woman. I did not throw any
 hot water on him. I did not strike him with
 a chair. I said to the officer that the Italian
 offered me 25 cents. If I took it I would have
 given him satisfaction for it. I am married
 and had a few words with him. I do not make
 a practice of prostitution. but I have done so
 with my friend about five months. I was in
 the penitentiary once for pawning a music box.
 The jury rendered a verdict of guilty of petty larceny.

0048

Testimony in the
case of
Elizabeth H. Anderson
filed 1941

0849

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Elizabeth Anderson

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

Elizabeth Anderson
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

Elizabeth Anderson

late of the City of New York, in the County of New York aforesaid, on the *first* day of *March* in the year of our Lord one thousand eight hundred and *eighty-nine*, in the *night* time of the said day, at the City and County aforesaid, with force and arms, *one piece* of the value of *ten cents*

one promissory note for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of *five* dollars; *one* promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *five* dollars; *one* United States Gold Certificate, of the denomination and value of *five* dollars; *one* United States Silver Certificate, of the denomination and value of *five* dollars.

two promissory note for the payment of money of the kind commonly called United States Treasury Notes, of the denomination and value of *two* dollars each; *two* promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *two* dollars each; *two* United States Gold Certificates, of the denomination and value of *two* dollars each; *two* United States Silver Certificates, of the denomination and value of *two* dollars each.

five promissory note for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of *one* dollar each; *five* promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *one* dollar each; *five* United States Gold Certificates, of the denomination and value of *one* dollar each; *five* United States Silver Certificates, of the denomination and value of *one* dollar each.

and divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of five dollars
of the goods, chattels and personal property of one *Antonio Miani* - on the person of the said *Antonio Miani* - then and there being found, from the person of the said *Antonio Miani* - 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.

DeLancy Nicoll,
District Attorney

0850

BOX:

429

FOLDER:

3960

DESCRIPTION:

Anderson, George C.

DATE:

03/20/91



3960

1458

Witness:
E. J. [Signature]

Counsel
Filed 20 March 1891
Pleads,

THE PEOPLE

vs.

Grand Larceny in 1st Degree.
[Sections 528, 530 — Penal Code.]

George C. Anderson

2d.

DE LANCEY NICOLL,
District Attorney.

A True Bill.

[Signature]
Foreman.
[Signature]
Clerk of the Court.
5 Apr 1891

0852

Police Court

District.

Affidavit—Larceny.

City and County } ss:
of New York,

x 55 Broadway.

of No. 603 Madison

occupation Coal

deposes and says, that on the

day of

March

189

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:

Two Statches and
 and a number of other small items and
 two small boxes together of
 the value of One thousand
 dollars

\$ 1000.00

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 George Charles Ludlow (nowhere)

from the fact that said defendant
 was in deponent's employ as Butler
 and said property was in a case
 in above premises and deponent missed
 the said property described above and
 caused the arrest of said defendant
 by Officer Timothy Jordan of the Street Cleaning
 Bureau. Said Defendant admits and
 confesses that he did take, steal
 and carry away said property
 and also gave to deponent four
 pawn tickets representing the same
 property.

Edward J. Berwind

Sworn to before me, this 12 day

Wm. March 1891
 Police Justice

0853

Sec. 198-200

District Police Court.

CITY AND COUNTY
OF NEW YORK. } ss.

George Charles Anderson being duly examined before the undersigned, 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. *George Charles Anderson*

Question. How old are you?

Answer. *27 Years*

Question. Where were you born?

Answer, *Scotland*

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

Answer. *603 Madison Avenue, 1 Year*

Question. What is your business or profession?

Answer, *Butler*

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. I did take the property*

George Charles Anderson

Taken before me this *17*

day of *March*

1909

Police Justice

0854

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 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 March 12 1899 [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.

0855

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward J. Bernard
vs. *George E. Anderson*

2 _____
3 _____
4 _____

Dated *March 12* 1891

Murray Magistrate.

J. Jordan Officer.

St. Charles Precinct.

Witnesses *John E. Bernard*

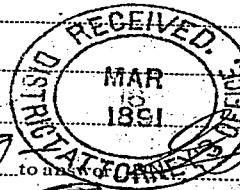
No. *603 Madison Ave* Street.

Call Officer

No. _____ Street.

No. _____ Street.

\$ *2.00* to and of _____



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 C. Anderson

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *George C. Anderson*

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

The said

George C. Anderson

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

*two watches of the value of
three hundred dollars each, two
snuff-boxes of the value of fifty
dollars each, and divers other
articles of jewelry of a number
and description to the Grand Jury
aforesaid unknown, of the value
of three hundred dollars*

of the goods, chattels and personal property of one

Edward J. Berwind

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.*

0857

BOX:

429

FOLDER:

3960

DESCRIPTION:

Anderson, Lawrence

DATE:

03/16/91



3960

0858

908
for property attached

Counsel,
Filed
Pleads,
16 Dec 1889

Witnesses:
J. J. Callahan

THE PEOPLE
vs. B
Lawrence Anderson
F
VIOLATION OF EXCISE LAW,
(Selling without license.)
[III, R. S. (7th Ed.) page 1881, § 13, and
of 1883, Chap. 340, § 5].

DE-LANCEY NICOLL,
JOHN R. FELLOWS,
District Attorney.

A True Bill.
J. J. Callahan

Foreman.
L. J. O'Connell

0859

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Lawrence Anderson 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.

Lawrence Anderson

Question. How old are you?

Answer.

37 years

Question. Where were you born?

Answer.

Norway

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

Answer.

102 1/2 Cherry St. 5 months

Question. What is your business or profession?

Answer.

Bartender

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

Answer.

I am not guilty, if held I demand a jury trial

Lawrence Anderson

Taken before me this

day of June 1891

Wm. J. ...

Police Justice

0860

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 One Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated June 15 1890 W. F. Gardner Police Justice.

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

Dated June 15 1890 W. W. Mendenhall 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.....18.....*Police Justice.*

0861

BAILED.

No. 1, by

Nathan Strom

Residence

45 James Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court

without license

District.

933

THE PEOPLE, &c.,

ON THE COMPLAINT OF

George Cullum

Lawrence Anderson

2

3

4

Offence

No. 100

Dated

June 15 1890

Magistrate.

Cullum

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

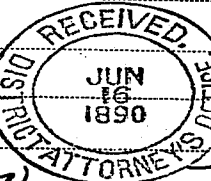
Street.

\$

100

to answer

G. S.



Filed

0862

Excise Violation—Selling Without License.

POLICE COURT—1st DISTRICT.City and County } ss.
of New York,

of No. 4th Precinct George Bullum Street,
of the City of New York, being duly sworn, deposes and says, that on the 14th day
of June 1890, in the City of New York, in the County of New York, at
No. 102 1/2 Cherry Street,

Lawrence Anderson (now here)
did then and THERE SELL, CAUSE, suffer and permit to be sold, under his direction and authority,
strong and spirituous liquors, wines, ale and beer; being intoxication liquors, in quantities less than
five gallons at a time, to be drunk in the house or premises aforesaid WITHOUT HAVING A
PROPER LICENSE THEREFOR contrary to and in violation of the statute in such case made
and provided. Defendant served two unknown men
with lager beer from a bottle and deponent
saw said men pay to the defendant the sum
of ten cents.

WHEREFORE, deponent prays that said Lawrence Anderson
may be ~~arrested and~~ dealt with according to law.

Sworn to before me, this 15 day }
of June 1890 } George Bullum,
W. T. Robinson Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST

Lawrence Anderson

The Grand Jury of the City and County of New York, by this indictment, accuse
Lawrence Anderson
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES
WITHOUT A LICENSE, committed as follows:

(All Revised
Statutes, 7th
edition) p. 1081
Section 18.

The said *Lawrence Anderson*

late of the City of New York, in the County of New York aforesaid, on the *fourteenth*
day of *June* in the year of our Lord one thousand eight hundred and
~~eighty~~ *ninety* at the City and County aforesaid, certain strong and spirituous
liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one
gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong
and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in
quantity less than five gallons at a time, to

certain persons whose names are to the Grand Jury aforesaid unknown, without
having a license therefor, as required by law, contrary to the form of the Statute in such case
made and provided, and against the peace and dignity of the People of the State of New York.

(Laws of 1883,
chapter 340 sec-
tion 5).

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Lawrence Anderson
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND
BEER WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said *Lawrence Anderson*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, and at the premises there situate, known as
number *one hundred and two and one half Cherry Street*,

certain strong and spirituous liquors, and certain ales, wines and beer, to wit: one gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury
aforesaid unknown, unlawfully did sell to

certain persons whose names are to the Grand Jury aforesaid unknown, to be
drank upon the premises aforesaid, without having a license therefor, as required by law,
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.

(Laws of 1883,
chapter 840 sec-
tion 5.)

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said
Laurence Anderson
of the CRIME OF GIVING AWAY STRONG AND SPIRITUOUS LIQUORS, ALES,
WINE AND BEER WITHOUT A LICENSE, to be drank upon the premises, committed
as follows:

The said Laurence Anderson

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, and at the premises there situate, known as
number one hundred and two and one half, Cherry Street

certain strong and spirituous liquors, and certain ales, wine and beer, to wit: one gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury
aforesaid unknown, unlawfully did give away to

certain persons whose names are to the Grand Jury aforesaid unknown, to be
drank upon the premises aforesaid, without having a license therefor, as required by law,
against the form of the Statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

De Lancey Nicoll
~~JOHN R. FELLOWS,~~

District Attorney.

0865

BOX:

429

FOLDER:

3960

DESCRIPTION:

Andrews, Thomas

DATE:

03/12/91



3960

0066

Witnesses:

Leo E. Gram

186 / *[Signature]*

Counsel,

Filed 12 day of March 1891

Pleads

THE PEOPLE

vs.

B

Thomas Andrews

(2 cases)

POLICY.
[S 844, Penal Code].

DE LAIGLY WOOD

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

[Signature]

March 13/91

Foreman.

Pleads Guilty - Court

Settles verdict on
second indictment 1891

GLUED PAGE

0867

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

George E. (O)
of 41 Park Row ~~150 Nassau Street~~, New York City, being duly sworn deposes and
21 years of age, and is employed as an agent of the New York Society for the
Suppression of Vice, that he has just cause to believe, is informed and verily does
believe, that Thomas Anderson

whose real name is unknown, but who can be identified by Joseph A. Starni
of 247 Park 112th Street did, at the City of County
of and State of New York, on or about the 3rd day of February 1881,
unlawfully use a room, table, establishment or apparatus for gambling purposes—and
did engage as a dealer or game-keeper in a gambling or banking game, where money or
property was dependent upon the result—and did sell, or offer to sell what is com-
monly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing
or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or
other document for the purpose of enabling others to sell or offer to sell lottery policies,
writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing
or drawn numbers of a lottery, against the form of the statute of the State of New York
in such case made and provided.

Deponent further says, he has just ~~come~~ ^{cause} to believe, is informed and verily does
believe from personal observation and from statements made by Joseph A. Starni
to deponent

that the said Thomas Anderson
aforesaid, now has in his possession, at in and upon
certain premises occupied by him and situate and known as Number
304 West 134th Street
in the City of New York — and within
the County and State aforesaid, for the purpose of using the same as a means to commit a

0868

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

Subscribed and sworn to before me this

4th day of February 1891.

George E. Osram

Police Justice.

CITY OF New York AND COUNTY OF New York ss.

being ~~farther~~ ^{duly} sworn deposes and says that on the 3rd day of February 1891,

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

Thomas Anderson aforesaid, and

had dealings and conversation with him as follows:

Deponent said "Hello, Tom! giveme 1 3 6 9 Snake Gig for Ten Cents." The said ANDERSON thereupon wrote the said numbers in Deponent's presence upon a manifold-book then and there kept and used for the purposes of recording what is commonly called "Lottery Policies," then wrote the annexed paper and handed the same to this Deponent. and Deponent paid the said ANDERSON the sum of Ten cents for the same.

While Deponent was present in said room, he saw other persons buy what are commonly called "Lottery Policies" of the said ANDERSON, and saw the said ANDERSON write and record the same, and receive money for the same. Deponent there saw what are commonly called "Slips" of the drawn numbers of the said "Lottery Policies", or "Lotteries", and did see the said ANDERSON have books, papers, and paraphernalia for the recording and selling of what are commonly

0869

called "Lottery Policies", and carrying on of the "Lottery Policy"
business, against the term of the Statutes of the People of the State
of New York in such case made and provided.

Subscribed, and sworn to before me this :
4th. day of February 1891.

Joseph N. Haran.

L. Hogan

Police Justice.

0870

Subscribed and sworn to before me this }
_____ day of _____ 188____.

Police Justice.

✓
THE PEOPLE

ON COMPLAINT OF

George G. Brant

AGAINST

Thomas Anderson

*Violation Sec. 849, P. C.
Gambling and Policy.*

Affidavit of Complaint.

WITNESSES:

George G. Brant

Joseph H. Starn

0871

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

District Police Court.

Thomas Andrews

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

Question. What is your name?

Answer.

Thomas Andrews

Question. How old are you?

Answer.

43 years

Question. Where were you born?

Answer.

England

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

Answer.

366 Wm-126 Street 2 years

Question. What is your business or profession?

Answer.

Clerk

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 Andrews

Taken before me this
day of *May* 1891

Police Justice

0872

Sec. 151.

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

Police Court First District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by George S. Oran, 416 Ash St. & Joseph H. Starin of No. 247 East 112 St. Street, charging that on the 3rd day of February 1897 at the City of New York, in the County of New York that the crime of selling what is commonly called a lottery policy

has been committed, and accusing Thomas Anderson whose real name is unknown but who can be identified by Joseph H. Starin thereof.

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Deputy Sheriffs, Peace Officers, Marshals, Constables and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the First DISTRICT POLICE COURT, in the said City or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 4th day of February 1897
[Signature]
POLICE JUSTICE.

0073

POLICE COURT, 14 DISTRICT.THE PEOPLE, &c.,
ON THE COMPLAINT OFGeorge B. Wain et al
vs.Rev. Anderson.

Warrant-General.

Dated Feb 14 1891

Magistrate.

Dixon Officer.The Defendant Thomas Anderson
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.Dixon Officer.Dated Feb 5 1891This Warrant may be executed on Sunday or at
night.

Police Justice.

REMARKS.

Time of Arrest, _____

Native of EnglandAge, 43

Sex, _____

Complexion, _____

Color, WProfession, Clerk

Married, _____

Single, YesRead, Yes

Write, _____

366 W 126 st

0874

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.....

Stefurman

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 *Feb 5th* 18 *91* *A. B. Hoffman* Police Justice.

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

Stefurman

to bail to answer by the undertaking hereto annexed.

Dated *Feb 5th* 18 *91* *A. B. Hoffman* 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.

0875

Ex 2 p m Feb 5th

BAILED.

No. 1, by Frederick E Luthin
Residence 230 7th Avenue Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court---

District.

THE PEOPLE &c.,
ON THE COMPLAINT OF

George E. O'Neil
vs.

Thomas Hudson

(2 cases)

Dated January 5th 1891
Hofan Magistrate.

Sickin Officer.

Comp Precinct.

Witnesses Joseph H. Starin

No. 247 E. Street.

No. _____ Street.

No. _____ Street.

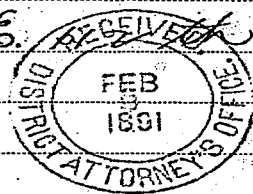
No. _____ Street.

No. _____ Street.

\$ 500 to answer G.S.

Bailed Seeling

Police



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 Andrews

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

Thomas Andrews
of the CRIME OF SELLING WHAT IS COMMONLY CALLED A LOTTERY POLICY, committed as follows:

The said

Thomas Andrews

late of the City of New York in the County of New York aforesaid, on the *fourth* day of *February* in the year of our Lord one thousand eight hundred and eighty-~~eight~~ *ninety*, at the City and County aforesaid, feloniously did sell to one

Joseph N. Starin
what is commonly called a Lottery Policy, the same being a certain paper, and writing, as follows, that is to say:

Bingh St
- 8 - 18 - 284 / 10

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

SECOND COUNT.

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

Thomas Andrews

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

The said

Thomas Andrews

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one *Joseph N. Starin*

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

Bugh 7/4
- 8-18-28 1/10

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

THIRD COUNT.

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

Thomas Andrews

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

The said

Thomas Andrews

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one

Joseph R. Starn

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

Bugh 7/4
- 8-18-28 1/10

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

FOURTH COUNT.

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

Thomas Andrews

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

0878

The said

Thomas Andrew

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one

Joseph N. Starin

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

*Bought 2/4**- 8-18-28 4/10*

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

FIFTH COUNT.

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

Thomas Andrew

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

The said

Thomas Andrew

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one

Joseph N. Starin

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

*Bought 2/4**- 8-18-28 4/10*

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

~~DE LANCEY NICOLL~~~~JOHN R. FIELDS~~

District Attorney.

0079

Witness:
Geo E. Gram

Counsel,

Filed *12* day of *March* 189*9*

Pleads

THE PEOPLE

vs.

Thomas Andrews

g (2 cars)

POLICY.
[S 344, Penal Code].

DE LANCEY-NICOLL

District Attorney.

A TRUE BILL.

Wm. C. Gram

March 13/91

Foreman.

James G. G. - 1st Count

Five \$100 - 2nd Count

0000

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

Prouty J. H.
- 8-18-28/10

George E. Oran of 41 Park Row Street, New York, being duly sworn, deposes and says that he has just cause to believe and does believe that Thomas Andrews here present did, on or about the 4th day of February, 1891, at number 304 West 134th street, in the City of New York and County of New York unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument, purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket is hereto annexed, and which said paper or instrument hereto annexed is what is commonly known as, or are called lottery policy and further that the said, Thomas Andrews

has in his possession, within and upon certain premises, occupied by him and situated and known as number 304 West 134th street, in the City of New York and County of New York aforesaid, certain others, what are commonly known as, or are called lottery policies or lottery tickets, and also certain writings, cards, books, documents, personal property, tables, devices, and apparatus, for the purpose of enabling others to sell or vend lottery policies or lottery tickets, and at, within and upon said premises, sells, vends, furnishes and procures, and had in his possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided.

Subscribed and sworn to before me,
this 5th day of February, 1891

[Signature]
Police Justice.

George E. Oran
11

CITY OF New York COUNTY OF New York } ss.

Joseph W. Starin being duly sworn further deposes and says, that on the 4th day of February, 1891, aforesaid, he called at the place of business of the said Thomas Andrews aforesaid, at the said premises 304 West 134th street and there purchased the said paper, ticket and instrument, purporting to be what is commonly called a lottery policy as annexed to foregoing affidavit, under the following circumstances to wit: Deponent there saw the said Thomas Andrews and had conversation with him in substance as follows.

Deponent said, to said Andrews, give me eight eighteen twenty-eight for ten cents, both lotteries. The said Andrews, wrote on his manifold book, then upon annexed paper, and then handed annexed paper to deponent, and deponent paid him its sum of ten cents for its same

Subscribed and sworn to before me

[Signature]
Police Justice

Joseph W. Starin

POLICE COURT— DISTRICT.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

J. C. Gram et al

VS.

Thomas Andrews

LOTTERY AND POLICY.

Dated.....188

..... Magistrate.

..... Clerk.

..... Officer.

WITNESSES:

Bailed, \$.....

to answer..... Sessions.

By.....

..... Street.

0881

0002

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer. *Thomas Andrews*

Question. How old are you?

Answer. *43 years*

Question. Where were you born?

Answer. *England*

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

Answer. *366 W 126th Street - 2 years*

Question. What is your business or profession?

Answer. *Clerk*

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 Andrews

Taken before me this

6th

day of

July

1891

Police Justice.

0003

City and County of New York, ss:

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

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

Proof by affidavit having been this day made before me, by George E. Oran, of 41 Park Row —
Joseph H. Starin of 247 E. 112th St Street, New York
 City, that there is probable cause for believing that Thomas Anderson whose
real name is unknown, but who can be
identified by Joseph H. Starin

has in his possession, at, in and upon certain premises occupied by him and situated and known number
304 West 134th Street in said City of New York certain and divers
 device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings,
 papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and
 other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, black-
 boards and gaming tables, with intent to use the same as a means to commit a public offense.

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

and in the building situate and known as number 304 West 134th Street aforesaid,
 for the following property, to wit: all Faro layouts, all Roulette Wheels and layouts, all
 Rouge et Noir, or Red and Black layouts, all gaming tables, all chips, all packs
 of cards, all dice, all deal boxes, all lottery policies, all
 lottery tickets, all circulars, all writings, all papers, all
 documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, all books
all documents for the purpose of enabling others to gamble or sell lottery policies, all black-
 boards, all slips or drawn numbers of a lottery, all money to gamble with, and all device,
 establishment, apparatus and articles suitable for gambling purposes.

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

Dated at the City of New York, the
4th day of February 1891

E. Hagan
 POLICE JUSTICE



0884

Inventory of property taken by Charles Dixon the Peace Officer by whom this warrant was executed :

~~Faro layouts,~~ ~~Roulette Wheels,~~ ~~Roulette layouts,~~ ~~Rouge et Noir lay-~~
~~outs,~~ ~~gaming tables,~~ ~~chips,~~ ~~packs of cards,~~ ~~dice,~~ ~~deal~~
~~boxes,~~ ~~deal trays for holding chips,~~ ~~cue boxes,~~ ~~markers, or tally cards,~~
Ivory balls, ~~lottery policies,~~ 6 lottery tickets, 3 circulars, ~~writings,~~ 1 agate
papers, 1 pipe ~~black boards~~ 2 pads slips, or drawn numbers in policy, ~~money,~~ one
manifold books, 1 sheet carbon, 23 slips.

City of New York and County of New York ss :

I, Christopher Dixon the Officer by whom this warrant was executed,

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

Sworn to before me, this 5th
day of February 1891

Christopher Dixon

Police Justice.

Police Court---First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Geo. Brown et al

vs.
Charles Brown et al

Search Warrant.

Dated 188

Justice.

Officer.

Dixon

0005

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.....

DeFurda
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 bond.

Dated *January 5* 18 *91* *E. J. Hagan* Police Justice.

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

Dated *January 5th* 18 *91* *E. J. Hagan* 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.

0006

64 5/10 745 5th

BAILED,

No. 1, by Frederick E. Luthin
Residence 2309 Seventh Avenue

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court---

District---

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Geo. J. E. Brown
41 Mark Row
1 Thomas Auburn

2 _____
3 (2 cases)
4 _____

Dated February 5th 1891

Hofar Magistrate.

Dickson Officer.

Com. 7 Precinct.

Witnesses _____

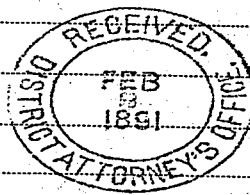
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 500 to answer 95.

Bailed
Leah's
Policy



179
Callum Lott
And Percy Vinton
Penitentiary

0007

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

and says, that Joseph M. Starin being duly sworn, deposes
Thomas Andrews
here present, is the one known as Thomas Anderson
in annexed complaint.

Subscribed and sworn to before me, this

5th day to February 1891

Joseph M. Starin

Police Justice.

0000

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 Andrews

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

Thomas Andrews
of the CRIME OF SELLING WHAT IS COMMONLY CALLED A LOTTERY POLICY, com-
mitted as follows:

The said

Thomas Andrews

late of the City of New York in the County of New York aforesaid, on the *third*
day of *February* in the year of our Lord one thousand eight hundred and ~~eighty~~
~~ninety one~~ at the City and County aforesaid, feloniously did sell to one

Joseph N. Starin
what is commonly called a Lottery Policy, the same being a certain paper, and writing,
as follows, that is to say:

B 4 2/3

1-3-6-9

4/20f

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

SECOND COUNT.

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

Thomas Andrews

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

The said

Thomas Andrews

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the City and County aforesaid, feloniously did sell to one *Joseph N. Starin*

0009

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

B 4 7/3
- 1 - 3 - 6 - 9
4/20f

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

THIRD COUNT.

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

Thomas Andrews

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

The said

Thomas Andrews

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one

Joseph N. Starin

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

B 4 7/3
- 1 - 3 - 6 - 9 -
4/20f

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

FOURTH COUNT.

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

Thomas Andrews

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

0090

The said

Thomas Andrews

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the City and County aforesaid, feloniously did sell to one

Joseph N. Starin

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

B 4 7/3
-1-3-6-9-
4/20f

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

FIFTH COUNT.

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

Thomas Andrews

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

The said

Thomas Andrews

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, feloniously did sell to one

Joseph N. Starin

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

B 4 7/3
-1-3-6-9-
4/20f

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

DE LANCEY NICOLL,
JOHN R. FELLOWS,
District Attorney.

0891

BOX:

429

FOLDER:

3960

DESCRIPTION:

Appoldt, Charles

DATE:

03/05/91



3960

0892

BOX:

429

FOLDER:

3960

DESCRIPTION:

Appoldt, Henry

DATE:

03/05/91



3960

0893

BOX:

429

FOLDER:

3960

DESCRIPTION:

Stoker, John

DATE:

03/05/91



3960

0894

BOX:

429

FOLDER:

3960

DESCRIPTION:

Schneider, John

DATE:

03/05/91



3960

Witnesses:

Louis Maxwell

John Shelby

James Schneider

Counsel,

Filed

Pleads,

day of March 1891

THE PEOPLE

vs.

Charles Appolst,
Harry Appolst,
John Steiner
John Schneider

DE LANCEY NICOLL,

District Attorney.

Grand Larceny Second Degree.
[Sections 628, 58/ — Penal Code.]

A True Bill.

Alfred J. Munn

March 5/91

Foreman.

all J. J. R.

Not 1. 2. 13 - J. M. S. for
#4 House of Representatives

0896

Court of General Sessions
The People
vs
John Schneider

REPORT OF THE NEW YORK SOCIETY FOR
 THE PREVENTION OF CRUELTY
 TO CHILDREN.

100 EAST 23^d STREET,

New York, March 3rd 1891

CASE NO. *54957*
 DATE OF ARREST
 CHARGE

OFFICER

February 28th 1891 *King*

AGE OF CHILD

RELIGION

FATHER

MOTHER

RESIDENCE

Grand Larceny
fourteen *Protestant*

George

No. 122 E. 4th St.

AN INVESTIGATION BY THE SOCIETY SHOWS THAT *boy lives with*
respectable parents in a comfortable home. He bears
a bad reputation and associates with very bad boys.
Last summer he was away from home two months
and last winter while he was in the employ of
E. J. Denning & Co. he stole \$5.00 but was not
prosecuted for it. He has now been out of work
two weeks.

All which is respectfully submitted

To Dist. Atty.

C. Holloway
Sup't

Court of

General Sessions

The People

vs

John Schneider

Grand Jurors

PENAL CODE, "

Report of the New York Society
for the Prevention of Cruelty
to Children.

ELBRIDGE T. GERRY,
President, &c.,

100 East 23d Street,

NEW YORK CITY.

0898

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 23 years, occupation Police Officer of No. 23rd Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Louis Maxwell
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

day of March 1891

John Ryan

Police Justice.

Michael J. Kelly

0899

Police Court

14 District.

Affidavit—Larceny.

City and County } ss:
of New York,

Louis Maxwell
of No. *640 5th Avenue*, aged *34* years,
occupation *Butler*, being duly sworn,
deposes and says, that on the *28* day of *February*, 189*1* 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:

Bronze of the value of fifty
dollars

the property of *George W Vanderbilt but*
in deponent's charge and
care

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 *Charles Appoldt, Henry Appoldt,*
John Stoker and John Snider
(all now here), from the fact that
deponent said said Charles Appoldt
in the act of stealing and
carrying away a portion
of said property from in front
of said premises and that said
Stoker and Snider were in his
company and that deponent
is informed by Officer Michael
Shelly that he a short time previous
saw all the defendants together
approaching said premises
Louis Maxwell

Sworn to before me, this

of

March

1891

day

John H. Ryan Police Justice.

0900

Sec. 198-200

X District Police Court.

CITY AND COUNTY }
OF NEW YORK. } ss.

Henry Appoldt being duly examined before the undersigned, 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 *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 *h* 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

Henry Appoldt

Police Justice

0901

Sec. 198-200

District Police Court.

CITY AND COUNTY
OF NEW YORK } ss.

Charles Appoldt 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

John H. Ryan
1887

Police Justice.

0902

Sec. 198-200

CITY AND COUNTY
OF NEW YORK.

District Police Court.

John Stoker 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 *March* 190*9*

John Stoker
Police Justice.

0903

Sec. 198-200

X District Police Court.

CITY AND COUNTY
OF NEW YORK } SS

John Schneider 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

Police Justice.

0904

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 Agueda

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, each and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated March 18 91 John Ryan Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0905

280

Police Court--- District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Louis Maxwell
640 3rd Avenue
Charles Appoldt
Sam Appoldt
John Stoker
John Schneider

Maxwell
Office

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *March 1* 1891
Ryan Magistrate.

Melley Officer.
Precinct.

Witnesses *All officers*
No. _____ Street.

Wm H. King
No. *100 E. 23rd St.* Street.

No. *500* Street.



for person

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Charles Appoldt, Henry Appoldt,
John Stoker and John Schneider*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse *Charles Appoldt, Henry Appoldt,
John Stoker and John Schneider* of the CRIME OF GRAND LARCENY in the second degree committed as follows:

The said *Charles Appoldt, Henry Appoldt,
John Stoker and John Schneider* all late of the City of New York, in the County of New York aforesaid, on the *28th* day of *February* in the year of our Lord one thousand eight hundred and ninety-one at the City and County aforesaid, with force and arms,

divers pieces of bronze, of a number and description to the Grand Jury aforesaid unknown, of the value of fifty dollars

of the goods, chattels and personal property of one *George W. Vanderbilt*

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*

0907

BOX:

429

FOLDER:

3960

DESCRIPTION:

Austin, William F.

DATE:

03/03/91



3960

0908

Witnesses:

J. J. Courtney
Off. Secy

Bill Jones
Counsel

Counsel,

Filed 3 day of March 1891

Pleaded *[Signature]*

THE PEOPLE
vs.
William J. Austin
and Petitioner
Section 498, 526, 528, 529

DE LANCEY NICOLL
JOHN P. FELLOWS

District Attorney.

A True Bill.

[Signature]

[Signature] Foreman.

[Signature]
Henry J. Ray Esq
Sen & Mrs

R.B.M.

0909

Police Court Fourth District.City and County
of New York, ss.:

of No. 232 East 41st John J. Courtney
 Street, aged 25 years,
 occupation Liquor being duly sworn
 deposes and says, that the premises No. 232 East 41st Street, 21st Ward
 in the City and County aforesaid the said being a Four Story Brick
Building
 and which was occupied by deponent as a Liquor Store
 and in which there was at the time any human being, by some

were **BURGLARIOUSLY** entered by means of forcibly turning of
the lock of the door leading from the Hall
into the Store and then opening said
door

on the 23rd day of February 1889 in the night time, and the
 following property feloniously taken, stolen, and carried away, viz:

Seven Bottles of Whiskey of the value of Five Dollars
One Pint Bottle of Champagne of the value of One Dollar
One dozen Glasses of the value of Fifty Cents and
good and lawful money of the United States of
the amount and value of Fifty-two Cents and
all of the value Seven $\frac{02}{100}$ Dollars
(\$7. $\frac{02}{100}$)

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 F. Foster (now here)

for the reasons following, to wit: that at about the hour of 1 A.M.
on the aforesaid day deponent secured fastened
and locked the said door leading into said
Store and said property was in the Store and
deponent is informed by Sergeant Officer August
Brich of the 21st Precinct Police that he
at about the hour of 4 A.M. thereafter
he Brich found said defendant in
said Store and said side door leading

0911

CITY AND COUNTY { ss.
OF NEW YORK,

aged 35 years, occupation Police Officer of No.
the 21st Precinct Police Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of John J. Courtney
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 23rd day of February 1889 } August Breichof
W. M. Mahon
Police Justice.

0912

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

William F. Foster 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.

William F. Foster

Question. How old are you?

Answer.

33 years

Question. Where were you born?

Answer.

San Francisco, California

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

Answer.

No 36 Jackson Street

Question. What is your business or profession?

Answer.

Bar - Tender Sine Maker

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

Answer.

I am guilty
William F. Foster

Taken before me this

*1933*at *San Francisco* 1891*William F. Foster*

Police Justice

09.13

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 Twenty 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 23 1891 Admission 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.

0914

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

264
Police Court--- 47 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mr. J. C. [unclear]
William F. [unclear]

1 _____
2 _____
3 _____
4 _____

Offence [unclear]

Dated Feb 23 1891

Magistrate.

Officer.

Precinct.

Witnesses. Officer August Brichof

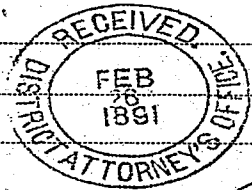
No. 21 Beck Police Street.

No. _____ Street.

No. _____ Street.

\$ 2500 answer

\$ 2300 line Feb 24 1891



09 15

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 F. Austin

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

William F. Austin

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

The said

William F. Austin

late of the *Nineteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *twenty-third* day of *February* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
night - time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *a certain building, to wit:*

the store of one John J. Courtney

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 *John J. Courtney in the*
said store in the said dwelling house then and there being, then and
there feloniously and burglariously to steal, take and carry away, against the form of
the Statute in such case made and provided, and against the peace of the People of the
State of New York and their dignity.

SECOND COUNT—

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

William F. Austin
 of the CRIME OF *Petit* LARCENY, committed as follows:

The said

William F. Austin

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,

seven bottles of whiskey of the value of seventy-five cents each bottle, one bottle of champagne of the value of one dollar, twelve glasses of the value of five cents each, and the diverse coins of the United States of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of fifty-two cents,

of the goods, chattels and personal property of one

John J. Courtney

store
 in the dwelling-house of the said

John J. Courtney

in the store

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

*He Launcey Nicoll,
 District Attorney,*