

0702

BOX:

23

FOLDER:

289

DESCRIPTION:

Lee, Lizzie

DATE:

11/11/80



289

0703

No 93 2

X Counsel,  
Filed 11 day of Nov 1886,  
Pleas not guilty.

THE PEOPLE

*vs.*  
*Henry R. Allen*  
*19 Jan 1887*  
*Lyzie Lee*  
*19 Jan 1887*

Larceny, and Receiving Stolen Goods.

BENJ. K. PHELPS,  
District Attorney.

A True Bill.  
*Wm. H. H. H.*  
Forman.  
Part in Nov 11, 1886.  
Both read G.S.

*Wm. H. H. H.*  
*W. H. H.*

0704

Form 112.

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

Police Court—First District.

of No. 396 Broadway William A. Stevens  
and says, that on the 3 day of November 1880

at the City of New York, in the County of New York, was feloniously taken, stolen, and carried away from the possession of deponent, and from premises No 396

Broadway  
the following property, viz: Three coats of the value of  
forty dollars

of the value of

Dollars

the property of Emanuel Hirschkind and Simon Adler copartners  
and in care and charge 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 Henry R. Allen and

Dizzie Lee (both now here) from the fact that deponent saw said defendants enter said premises in company with each other and ~~heard~~ heard said defendants converse with each other. said Allen asked deponent to show him some coats and said Allen tried on several coats and he selected one coat and one vest and paid a deposit of fifty cents upon said coat and vest giving the name of G. H. Wilson and as said defendants was leaving said premises deponent became suspicious of said defendants and cause their arrest and upon

Subscribed by deponent and, this

Police Court

0705

searching said Lizzie Lee she drop the aforesaid property on the floor under her dress where she had said property concealed

Wherefore deponent ~~charges~~ <sup>with</sup> said defendant with acting in concert <sup>with said other</sup> in taking stealing and carrying away the aforesaid property

Given to before me this <sup>2nd</sup> William A Stevens  
14 day of November 1890

Police Justice

0706

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY  
OF NEW YORK

*Henry R Allen* being duly examined before the undersigned,  
according to law, on the annexed charge, and being informed that he was at liberty  
to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

*Henry R Allen*

Question. How old are you?

Answer.

*27 Years*

Question. Where were you born?

Answer.

*United States*

Question. Where do you live?

Answer.

*35 Clinton Street*

Question. What is your occupation?

Answer.

*Printer*

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

Answer.

*I ain not guilty*  
*Henry R Allen*

Taken before me, this  
day of November 1880  
Police Justice.

0707

Police Court—First District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

Lizzie Lee being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was at  
liberty to refuse to answer any question that may be put to her, states as follows,  
viz:

Question. What is your name?

Answer.

Lizzie Lee

Question. How old are you?

Answer,

29 years

Question. Where were you born?

Answer.

Ireland

Question. Where do you live?

Answer

150 Houston Street

Question. What is your occupation?

Answer.

Domestic

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

Answer.

I am guilty but the man  
that was with me is innocent

Lizzie<sup>her</sup> Lee  
mark

Taken before me, this

day of

December 1899

Police Justice

0700

COUNSEL FOR COMPLAINANT.

Name, \_\_\_\_\_

Address, \_\_\_\_\_

COUNSEL FOR DEFENDANT.

Name, \_\_\_\_\_

Address, \_\_\_\_\_

901 1093

Police Court—First District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William H. Stevens

396 Broadway

Nanny R. Allen

Pizzie Lee

Dated 4 November, 1898

Magistrate.

Officer.

Clerk.

Witnesses: May Shirekind

396 Broadway

Nellie S. Davis - 25 Fremont

Butter Lewis - 25 Fremont

BAILED:

No. 1, by \_\_\_\_\_

Residence, \_\_\_\_\_

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

Residence, \_\_\_\_\_

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

Residence, \_\_\_\_\_

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

Residence, \_\_\_\_\_

No. 5, by \_\_\_\_\_

Residence, \_\_\_\_\_

No. 6, by \_\_\_\_\_

Residence, \_\_\_\_\_

\$ 10.00 to answer

at 10 o'clock

Received at Dist. Atty's office

0709

CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York, upon  
their Oath, present:*

That

*Henry R. Allen and Lizzie Lee*  
*each*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the  
*third* day of *November* in the year of our Lord  
one thousand eight hundred and eighty — at the Ward, City and County aforesaid  
with force and arms,

*Three coats of the value of thirteen*  
*dollars and thirty three cents each*

of the goods, chattels, and personal property of one

*Emanuel Kirschkind*

there being found, 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. then and



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*And the Jurors aforesaid, upon their oath aforesaid, do further present*  
That the said

*Henry R. Allen and Lizzie*  
*Lee each*

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

*Three coats of the value of thirteen*  
*dollars and thirteen cents each*

of the goods, chattels, and personal property of the said

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously  
stolen of the said

*Emmanuel Nischkind*  
unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

*Henry R. Allen and Lizzie Lee*  
then and there well knowing the said goods, chattels, and personal property, to have been feloniously  
stolen,) 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.

**BENJ. K. PHELPS, District Attorney.**

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BOX:

23

FOLDER:

290

DESCRIPTION:

Bacon, Francis

DATE:

11/16/80



290

4164

The People  
Francis Bacon

Court of General Sessions. Before Judge Cowing  
Friday, November 19<sup>th</sup> 1880. Part First.  
Indictment for felonious assault and battery.  
John J. Elbert, sworn and examined, testified as  
follows: Where do you live? No 337 East Thirty-second  
street. Do you recognize the prisoner at the bar  
Francis Bacon? I do. When did you see him  
the first time to your knowledge? I never seen  
him before that time that this happened. What  
evening was that? It was on a Sunday evening  
the last day of October. Thereabouts was it that  
you saw him? It was in Thirty second St. near  
First Avenue. About what time of day was it? That  
was about 11 o'clock in the evening. Any one with  
you? John Bowser. What were you doing and  
where were you when you first saw him? Me  
and my friend were pasting election posters.  
That is your business? My business is barber.  
We went into Thirty Second St. at First Avenue,  
and while we were in Thirty second St. we went  
across the street from one side to the other.  
There were about ten or twelve standing together  
and while we were going across the middle  
of the street this man here, Bacon, he struck  
my friend Bowser right in the back of his  
head. My friend Bowser halloed, "watch" and  
"police." I went up to him, I said, "Bowser, keep  
quiet; let it go; we want have anything to do

with it." We walked up thirty second St. By doing so we were followed by Bacon and his brother who is here in the room. We were up halfway towards the Second Avenue when one halloed "If you dont get out of our way we are going to murder you." We walked slowly up to the corner and when we got at the corner they met us again and there they had a row again with my friend Bowser; while they were fighting and growling with one another, I never mentioned or said anything until I saw that he took a knife. My friend had a hammer to protect himself and knocked him on the head with the hammer in self defence and when I seen the knife I tried to save my friend. I went up and caught him by the back of his coat and said, "Bowser, come away;" he has got a knife and somebody else halloed, "Look out, he has got a knife in his hand." So I got hit right in the back here with a knife. I went back to the sidewalk, and as soon as I got back to the sidewalk the officer came along and arrested Bowser on a charge of Bacon for striking him with a hammer. My friend called me to go around and see a friend to go up to the station house after him. I went to the friend and called him and went up to the station house; he made a charge

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against Howser; so I made a charge for stab-  
bing me. The Sergeant sent an officer with me  
to the Bellevue hospital. Where were you cut?  
Right through the coat; vest and suspenders all  
through to the shirt. Is this the cut, this hole  
here (pointing to the coat) Yes sir. Did it bleed?  
Yes sir, I can show the marks. Cross Examined  
You say there was a party out in Thirty Third  
St. near First Avenue? Yes sir. Was there a  
row going on there? That is what I do not know,  
I could not say. All you know your friend got  
hit in the back of the head? He got hit by this  
man Bacon. I did not see him hit him. Was  
this man drunk? No sir, he was a little under  
the influence of liquor; he could manage him-  
self very well; he did not need anybody to  
hold him; his brother was along with him;  
they walked up Second Avenue behind us;  
we did not stop at all; we walked slowly; there  
was nothing said about fighting up at the corner.  
He used that hammer for tacking on posters;  
it was a very small sized hammer, the han-  
dle was nine or ten inches long. I could not  
tell whether the man fell or not where he was  
struck with the hammer everything went so  
quick. I stood on the sidewalk looking at the  
row. I tried to go in, and somebody told me  
"if you go in, I will go in too." I stood on the

sidewalk and I saw the knife in his hand. I went to take out my friend. I could fight before if I wanted to have a fight with him. I wanted my friend to go away, to leave the place, to have nothing to do with him. All I wanted to do was to save my friend, not to strike him or do any harm to him whatever. I never was in trouble and never had a fight before. I am a barber. How long a time elapsed between your friend striking him and his cutting you? That was not more than about eight or ten minutes. There was no fight while we were going from First Avenue up to the corner of Second Avenue. The blow of the hammer was made on the corner of Second Avenue; he cut me on the same spot. I stood there until I saw the knife to grab my friend out of the fight when I got stabbed in the back. How long a time elapsed from the time that your friend struck him with the hammer to the time that he cut you? O. that did not take more than four minutes - it did not take more than two or three ~~seconds~~ minutes. I did not strike or kick anybody or offer to kick anybody. The prisoner said if I undertook to strike his brother that he would strike me. The prisoner pleaded guilty to assault and battery and the trial stopped. He was sent to the Penitentiary for sixty days.

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Testimony in the case  
of Francis Bacon  
filed Nov. 16.

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**Police Court, Fourth District.**

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Francis Bacon* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer. *Francis Bacon*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *Rochester N.Y.*

Question. Where do you live?

Answer. *204 East 20th St.*

Question. What is your occupation?

Answer. *Gardener*

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

Answer. *I have nothing to say about  
stabbing I don't believe I done  
it.*

*Francis Bacon*

*McKen Westbrook*  
Taken before me this 1 day of November 1872  
Police Justice.



## Police Court—Fourth District.

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } 88

of No.

334 East

John J. Ellert  
Secy

**Street.**

on Sunday the 31<sup>st</sup> day of October  
in the year 1880 at the City of New York, in the County of New York,

and feloniously  
he was violently ASSAULTED and BEATEN by *Francis Bacon*

(now here) who stabbed defendant in the back with a knife which he (Bacon) held in his hand, said knife cutting a gash in defendant's back causing great loss of blood.

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

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

Sworn before me, this

day)

of November 1858

M. van Oort

~~Police Justice.~~

John J. Elbert

0720

60121 007

Police Court—Fourth District.

CLARENCE PEOPLE, & CO.,

OF THE COUNTY OF

*John P. Clark*

837 N. 32nd St.

*James Bacon*

Dated Nov 1 1886

*Osterburg* Magistrate

*Breun* Officer

*John Nasser*  
20 E 88 St



*#1000*  
*General delivery*

*Cash*

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CITY AND COUNTY }  
OF NEW YORK, }THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:That *Francis Bacon*

late of the City of New York, in the County of New York, aforesaid, on the  
*twenty first* day of *October* in the year of our Lord  
 one thousand eight hundred and eighty *—* with force and arms, at the City and  
 County aforesaid, in and upon the body of *John J. Elbert*  
 in the peace of the said people then and there being, feloniously did make an assault  
 and *him* the said *John J. Elbert*  
 with a certain *knife*  
 which the said *Francis Bacon*

in *his* right hand then and there had and held, the same being a deadly and  
 dangerous weapon, willfully and feloniously did beat, strike, stab, cut, and wound  
 with intent *him* the said *John J. Elbert*  
 then and there, feloniously and willfully 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 Jurors aforesaid, upon their Oath aforesaid, do further present: That  
 afterwards, to wit, on the day and in the year aforesaid, at the City and County  
 aforesaid, the said *Francis Bacon*  
 with force and arms, in and upon the body of the said *John J. Elbert*  
 then and there being, willfully and feloniously did make an  
 assault and *him* the said *John J. Elbert*  
 with a certain *knife* (which the said

*Francis Bacon* in *his* right hand, then and there  
 had and held, the same being then and there a sharp, dangerous weapon, willfully  
 and feloniously, and without justifiable and excusable cause, did then and there beat,  
 strike, stab, cut, and wound, with intent to then and there willfully and feloniously  
 do bodily harm unto *him* the said *John J. Elbert*  
 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 Jurors aforesaid, upon their Oath aforesaid, do further present: That  
 afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
 said, the said *Francis Bacon*

with force and arms, in and upon the body of *John J. Elbert*  
 in the peace of the said people then and there being, feloniously, did make another  
 assault and *him* the said *John J. Elbert*  
 with a certain *knife*  
 which the said *Francis Bacon*

in *his* right  
 hand then and there had and held, willfully and feloniously did beat, strike, stab, cut,  
 and wound, the same being such means and force as was likely to produce the death  
 of *him* the said *John J. Elbert* with intent *him* the

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said *John J. Elbert* then and there feloniously and willfully 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

*Francis Bacon* with force and arms, in and upon the body of the said *John J. Elbert* then and there being, willfully and feloniously, did make another assault and *kill* the said *John J. Elbert* with a certain *knife* which the said *Francis Bacon* in *his* right hand then and there had and held, the same being then and there a deadly weapon, willfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there willfully and feloniously main *kill* the said *John J. Elbert* 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.

BENJ. K. PHELPS, District Attorney.

Apr 12/1882  
Filed 16 day of Apr 1882  
Pleaded *Indefinitely*  
THE PEOPLE  
08.  
*Francis Bacon*  
*John J. Elbert*  
BENJ. K. PHELPS,  
District Attorney.  
A True Bill.  
*John J. Elbert*  
Jan 19, 1882  
*John J. Elbert*  
Pen 60 days.