

0754

BOX:

238

FOLDER:

2325

DESCRIPTION:

Nichols, Thomas

DATE:

11/16/86



2325

0755

BOX:

238

FOLDER:

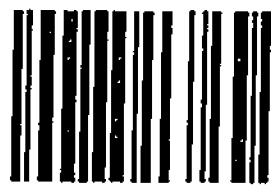
2325

DESCRIPTION:

Kelly, Thomas

DATE:

11/16/86



2325

POOR QUALITY
ORIGINAL

0756

Witnesses:

Paul Jones at

\$1500 RBA
Mar 7/8

The expert speaking of the
statute denouncing the crime of
accessory to murder after the fact
has never been tested. The law
is a purely experimental one, in
which some nice questions of law
might be decided - questions which
confronted the homicide had been
settled upon a long term of years.
Well, has it been tested and found to
be sound? For the State, the State
Nichols is now under indictment
in Kings Co. and the District of
that County informs me that the
juries believe the law is correct.
I recommend that in this in-
dorsement be dismissed.
The April 4, 1887 Randolph S. Martine
Sec'y.

Witnesses:
Paul Jones at
\$1500 RBA
Mar 7/8

THE PEOPLE
vs.
Thomas J. Nichols
and
Thomas Kelly
H.D.

RANDOLPH MARTINE
District Attorney
A True Bill.
J. J. Jones
Foreman
J. J. Jones
Foreman

POOR QUALITY
ORIGINAL

0757

Sec. 198-200.

23

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Thomas Nichols

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 Nichols

Question How old are you?

Answer 20 years

Question Where were you born?

Answer N. Y. New York

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

Answer New York

Question What is your business or profession?

Answer Bar 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 of aiding and assisting in the escape of L. Estienne after the shooting of Walker

Thomas F. Nichols

Taken before me this

17

day of November

1886

John W. [Signature]

Police Justice

POOR QUALITY
ORIGINAL

0758

BAILED,

No. 1, by *Henry Cohen*

Residence *165 Park Ave.*

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

1699
Police Court
District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John W. Walker

18 Hamilton St.

Thomas Kelly

Offence

Accessory to a Felony

Dated

November 13 1886

Magistrate.

10th
Officer.

Witnesses

No.

Alvin Dwyer

No.

Henry Cohen

No.

Thomas Kelly

No.

John W. Walker

No.

Offence

No.

Accessory to a Felony

No.

John W. Walker

It appearing to me by the within named

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

Hundred Dollars and be committed to the Warden and Keeper of the City Prison

*of the City of New York, until they give such bail. ~~Defendant~~ *legally discharged**

Dated *Nov 13 1886* *Police Justice.*

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated *1886* *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 *1886* *Police Justice.*

District Attorney's Office.

PEOPLE

vs.

Thomas P. Nichols

Accessory to murder.

To fix a day for trial.

Pr 2, Monday 28th
inst. Thursday 24th

ADP
fix a day

To fix a day for trial

District Attorney's Office.

PEOPLE

vs.

Thomas Nichols

To fix a day for trial

Let this case
stand over
until March term.
Feb 21/87 P.M.
To Mr Parker

Mr. Parker
1st Monday
ADP
fix a day

Grand Jury Room.

PEOPLE

vs.

Thomas Kelly

Judge Beiford,
See Parry on this
motion. Really Kelly is being
held as a possible witness
Nichols, his co-defendant
as a spy of the movement
of LeMay of Wm Walker,
but I don't know that any
commitment was ever made
of that kind, & Nichols
himself is held here without
authority. See Parry.
ADP

New York.
March, '85

Dist. Atty. Martin

Sir I write
to call your attention to my case.
I have been held in the House of Deten-
tion nearly five months, as a witness in
the case of Henry E. Strange charged
with homicide, during this time I have
more over such ailing that I have
and at the present time, I have to lose
my means in bed, and it would be utterly
impossible for me to appear in public
owing to my weakness. I have written
to Mr. Parker, in reference to my case
but no attention has been paid to it
I am without money or friends, and
unable to raise the necessary means
to cover my expenses, trusting this will
meet with your favorable consideration
I remain respectfully -

Michael Kehoe

POOR QUALITY
ORIGINAL

0762

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the house of Coroner's Office

No. 67 Park Row Street, in the

4

Ward of the City of

New York, in the County of New York, this 7th day of December

in the year of our Lord one thousand eight hundred and

86

before

M. J. D. Messener

Coroner,

of the City and County aforesaid; on view of the Body of William Walker

lying dead at

Nine

Upon the Oaths and Affirmations of

good and lawful men of the State of New York, duly chosen and sworn; or affirmed and charged to inquire, on behalf of said people, how and in what manner the said

William Walker

came to his death, do

upon their Oaths and Affirmations, say: That the said William Walker

came to his death by

Shock and Hemorrhage from penetrating Pistol shot wound of abdomen from a pistol in the hands of Henry Lestrage in Thomas Nichols Saloon in the Basement of 139 Hester Street on November 6/86 about 5.30 P.M.

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

JURORS.

Charles Glusman 96 Gold Street Henry Mahnken 107 Gold St

Emil H. Henze 116 South St

F. W. Meyer 119 South St

M. F. Blume 113 South St

Conrad Koop

Hugh Freil 29 N. Chambers

12 Roosevelt St

Christoph F. Meyer

763-6 Ave

John B. Glusman 69 Beekman St

CORONER, L. S.

Coroner's Office,

TESTIMONY.

John Walker being sworn says: I reside at 18 Hamilton St. Am the father of the deceased, Am a longshoreman, The deceased was not married, I do not know the name of the girl he lived with. He has been away from my house two or three months, He used to eat at my house & then go away. He was an iron worker and afterwards a laundryman & Speculator in Tickets, I do not know whether he was a thief, Don't know whether he associated with hard Characters or not. I last saw him before he was wounded bet. 7 & 8 am the morning of the occurrence. I first heard of the shooting about 6.30 P.M. I was then in my own house, I was told of it by my son Thomas Walker. He said "Will" was hit - shot through the back. He said "Henry" shot him. I took it to mean Henry Lestrangle, He is not here now. He did not mention any other name. I went to Chambers' St. Irish & found the deceased. He did not tell me how it occurred. I do not work every day. My son Thomas is a seaman.

John ^{his} Walker
mark

Taken before me

this 7 day of Decr 1886

[Signature] CORONER.

Coroner's Office.

TESTIMONY.

2

Thomas Walker being sworn says: I reside at 18 Hamilton St. Am a brother of the deceased, Am a sea faring man I was at sea about 4 months ago. I was not a constant companion of my brother I was in his company frequently. I lived with my father. I did not know what business my brother did except what he told me. I was ^{not} present with him when he was wounded. It was Saturday Nov 6/88 - A young man named Thomas Kelly told me that deceased was hurt. I was then in bed at 69 Forsyth St. which is a tenement house. He said my brother was hurt. I asked him if he was dead, he said "No!" but that Thomas Nichols would tell me all about it. He ^{Nichols} told me that Henry LeStrange had shot him. He said he was shot in the back in the basement in Steeter St bet Chynski and Bowery. It is a drinking saloon - don't know who keeps it. It is frequented by young men whose character I don't know. I went to Chambers St. Hosp. to see my brother the deceased. I was admitted. He was conscious. I asked him how he felt. He said he was in terrible pain. I did not wish to trouble him. I staid there 2 or 3 minutes.

Taken before me.

this day of

188

W. J. Messersmith

CORONER.

Coroner's Office.

TESTIMONY.

He did not tell me who shot him
My brother was a ticket speculator
I have seen him with all sorts of tickets
I was with my brother in Mr. Nichols
on the Friday before the shooting.
I saw my brother give Mr. Nichols
an open faced silver watch, as Mr.
Nichols had pawned his own & Mr.
Walker ^{the deceased} loaned it to him till he
would get his own back. Mr. Nichols
told me in his saloon which is situated
in Hester St. bet. Chrystie and Bowery
that Henry LeStrange had shot my
brother. He did not tell me what
had led to the shooting.

Thomas Walker

Taken before me

this 7 day of December 1886

Wm. H. Meserum CORONER.

Coroner's Office,

TESTIMONY.

4

Michael Kehoe being sworn says, I
reside at 341 Water St. Am a bartender
but not employed now. I was last
employed at Dover & Water St. I
have seen the deceased occasionally.
I was not with him on the day of
the shooting. I saw him in the
saloon of Mr. Nichols bet. Chapshe &
Bowen on Steeler St. in a basement
on the day of the shooting. I have been
there about 3 times. I know a few people
who go there. I know nothing wrong
about them. I got to the saloon bet. 2 &
3 PM. the deceased was not there
then. I had my head on the table
and when I awoke the deceased
was there. This was about 6 PM.
Thomas Kelly, Mr. Nichols, the deceased
and Henry Lestrangle were there. I was
laying on the table. I felt drowsy
as I had been drinking a bit, & I
had my head on the table asleep. I
awoke up by a noise & I heard
a man say "Oh! I'm hit!" I did not
recognize the voice. I then looked
up & saw Nichols & Lestrangle ^{standing} by
the door. Nichols said "If you wanted
to do anything like that why didn't you

Taken before me

this day of

188

CORONER.

Coroner's Office

TESTIMONY.

5

go outside; Get out of here" I said
this to Lestranger, He said "Do you
shoot outside" or something like
that. I am not sure of the exact words.
Then I heard the man moaning inside
of a space partitioned off the barroom.
He said "Oh I'm hit" In the meantime
Nichols & I went in & Nichols said
"When are you hit?" He said he was
hit here." putting his hand to his back
& said I can feel the ball here." putting
his hand to the right side of abdomen.
Nichols said "Let us see" The deceased
was lying on the floor & Nichols pulled
his ^{the deceased's} shirt up, I was standing by & we saw
the blood spot on his undershirt. There
was a hole through the shirt. The deceased
made a remark about a Doctor. The
Hospital was suggested, Some one said
come to go and get a coach. I went
and brought the coach & put the
deceased ⁱⁿ & went with him to Chambers
St. Hospital. Kelly and I took him
there. When I got there I left, I did not
take a good look at the hole in the shirt
as I was drowsy. I only saw the deceased
2 or 3 times. Don't know with whom he
lived, I did not see him after he left him at

Taken before me

this

day of

188

CORONER.

Coroner's Office.

TESTIMONY.

the Hospital, He made ~~not~~ statement
to me but what I have told. After
the shooting Lestrage ran out.
I did not see the pistol at
all. When the Doctor was mentioned
Kelly went out, I suppose to go for one
He was gone about 15 minutes. I went for
the coach, I got it at Chatham Square,
I am satisfied that Lestrage did the
shooting. Kelly had nothing to do with
it - neither had Nichols. I had been
drinking with Kelly before Lestrage
came in. I am ^{held} in the House of Detention
and as a witness.

Nicholas Petros

Taken before me

this 7 day of December 1886

[Signature] CORONER.

Coroner's Office

TESTIMONY.

7

Louisa Langerdorf being sworn says, I
reside on 126 Stester St. I keep a
grocery store. I did not know
the deceased. Mr. Nichols' Number
is 129 Stester St. I do not know Mr
Nichols. On Nov. 6/86 I was in my
store. My husband was asleep
My attention was attracted by the
Coach driving up to Mr Nichols'
Saloon. I live almost opposite.
This was between 5 & 6 PM. Don't
know the name of the Driver. I
cannot say who got into the Coach
as my wagon obstructed my view
I am not certain whether Kelly or
Kelce got into the Coach.
Louisa Langerdorf

Taken before me

this

day of

December 1886

[Signature]

CORONER.

Coroner's Office

TESTIMONY.

8

John Lansen dorf a boy of 8 years old says: I live at 124 Stecker St. I heard the shooting in the afternoon, I was on the opposite side to the saloon, Don't know who keeps it, One shot was fired I was making a little fire on the street Four boys were with me, When I heard the shooting I ran into my house & told my mother, I then went over to the saloon & saw three men go into a carriage I saw Mr Kelly there, Don't know the driver of the coach. There were no big boys there, I saw a man run out of the saloon after the shot was fired.

John Lansen dorf

Taken before me

this 7 day of December 1886

M. J. Messersmith CORONER.

Coroner's Office

TESTIMONY.

9

Frederick Kohl a boy 7 years old says
I live at 139 Hester St. Don't know who
keeps the saloon in the basement. I was
around the fire on the day of the shooting
I heard a shot in the basement of the
house where I live; I saw a man with
a pistol run out, He put it quick in
his pocket, He had a boyish face, He
ran round Chrystie St. Three men were
in a Carriage, Kelly and Kehoe were in
the Carriage, Kehoe ^{was} with the driver, on the
seat, I looked into the saloon but saw
nothing, Saw the Coach drive off, don't
know the driver. Charles Kohl

Taken before me

this 7 day of Dec 1886

[Signature] CORONER.

Coroner's Office

TESTIMONY.

10

Theodore Steffens a boy 9 years old says I reside at 143 Hester St. I was at the fire in the street when I heard a pistol shot in the basement of 139 Hester St. After the shot the man ran out & ran round Hester St. I looked into the Saloon & saw a man being taken into a room. I saw two men go into the coach. The bar keeper said to hurry up the horses.

Theodore Steffens

Taken before me

this 7 day of December 1886

W. J. Measum CORONER.

Coroner's Office.

TESTIMONY.

Bertha Fischer being sworn says, I reside at 126 1/2 Hester St. Am held as a witness in House of Detention. Did not know deceased. I have lived in the neighborhood about a year. Don't know the persons who frequented the saloon. I was sitting at my window on Nov. 6/86 bet. 5:30 & 6 PM when I heard the report of a pistol. I heard it was in the basement of 139 Hester St. Don't know who keeps the saloon there. After the report of the pistol I saw a coach drive to the door. I saw Kelly & Kehoe take a man from the basement & put him in the coach. They held him by the arms. He looked pale.

Bertha Fischer

Taken before me

this 10th day of December 1886
J. M. Messer

CORONER.

Coroner's Office.

TESTIMONY. 12

Lucas P. Filippucci being sworn says: I reside at 126 Hester St. Am an Engineer was employed at Panama Canal. It is 5 months since I came back from Panama. On Nov 6/86 I was at the door of my house, I saw a man come out of the saloon at 139 Hester St. with a pistol in his hand, I heard a noise or report coming from the basement as if a coal cart were being unloaded, It was a kind of muffled sound, The man with the pistol went round Christy's. Another man went out and brought a carriage. It was a revolver the man had in his hand, It was 4 or 5 minutes after I heard the noise that he came out of the basement, The coach stopped before the saloon, Kehue was in it. Came out & went to the basement, Then he & Kelly assisted the deceased by the arms into the coach I did not think much about it at the time.

Lucas P. Filippucci

Taken before me

this 7 day of Dec 1886

Wm H. Messersmith CORONER.

Coroner's Office.

TESTIMONY. 13

Walter Smith being sworn says: I reside at 124 Hester St. I attend a Cigar Store there, I have been there 3 months I have seen the deceased a good many times but did not know him. I never talked to him. Can't say what kind of people frequent W. Nichols' Saloon. On Nov 6th about 5.30 + 5.45 PM, ^{at the time of the shooting} I was standing in front of the cigar store when I saw Lestrage come out of W. Keown's Saloon Cor. Chrystie + Hester Street and go into Nichols' saloon between 3 + 3.30 PM. I did not see him again till I heard the report of the Revolver. Then I saw W. Nichols have Lestrage by the breast of the coat shoving him towards the door, I then saw the Revolver in his hand, He was flourishing it in the air as though he wanted to shoot again, then I saw W. Nichols shove him up the stairs. He went round the corner of Chrystie + Hester St. That was the last I saw of him. Then I saw a Coach come from the Bowery through Hester St. stopping at the door of 139 Hester St. Then I saw two gentlemen get the wounded man out, They put him in the coach + drove off. Walter P. Smith

Taken before me

this 7 day of December 1886

M. J. O'Messeneau CORONER.

Coroner's Office.

TESTIMONY. 14

Officer Henry Chapman 10th Precinct
being sworn says: Nichols Saloon
at 139 Steeler St. was open about 10 or
12 days before the shooting; I am on
duty on the Navy. The class of
people who frequent the saloon is
convicts, thieves, prostitutes &
disorderly people generally, I knew the
deceased, He was one of the gang of
thieves, Lestrage came from State
Prison about 7 months ago. He was
sent up for shooting a man at Dobb's
Ferry, He did not seem to do anything.

Henry Chapman

Taken before me

this 7 day of Decr. 1886

Myr. W. Messersmith CORONER.

Coroner's Office

TESTIMONY.

Dr. Justin Harold, being sworn says:-
I made an autopsy, on the body of the
deceased William Walker, on the 7th
of Nov. at the Chambers St. Hospital
about 12 M. External examination showed
a bullet wound, $1\frac{1}{2}$ ins. to the right of
the spinal column, and on a level
with the 12th rib, in the back. I found
an incision about $1\frac{1}{2}$ inches long, on the
abdomen, 2 in. above and $1\frac{1}{2}$ in. to the right
of the umbilicus, made to remove the
bullet; an incision was made in
the median line of the body, 11 inches
long, for operative purposes, no other
marks or signs on external ex-
amination. Section of head, chest &
abdomen was next made. I found
that the bullet had penetrated & made its
exit from small intestine and thence
penetrated & made its exit from large
intestine, & lodged in the abdominal
walls in front, 2 in. above, and $1\frac{1}{2}$ in.
to the right of the umbilicus; in its course
it had produced an extensive hemorrhage
and extravasation of blood, about one quart
and a half. The wounds in the in-
testines had been sutured. Heart
was slightly enlarged, all other organs

Taken before me

this

day of

188

CORONER.

POOR QUALITY
ORIGINAL

0778

Coroner's Office

TESTIMONY.

normal death in my opinion was
due to shock, and hemorrhage from
penetrating bullet wound of abdomen
penetrating bullet wound of small
and large intestine. (homicidal)

Justin F. Fives

Taken before me

this

day of

November 1886

W. J. Messersmith

CORONER.

POOR QUALITY
ORIGINAL

0779

From Chambers St Hospital.

New York, Nov 14th 1886

To Coroner Messinger

Sir:

Please hold an Inquest on the body of

Name: Wm Walber Residence: E 13th Ave 1st Ave.

Age: 24 years — months — days. Admitted Saturday day. Nov

Nativity: U.S. of Father — 6th 1886, at 4:30 o'clock P.M.

Life in U.S., Life in City. By Cab A

Civil Bond.: — Occup.: Moulder Examined by Dr. C.R. Parker B

Suffering from symptoms of Pen. pistol shot wound
of abdomen.

Said Injuries said to have been received by being shot, by D
an unknown man, in the back
with a 44 Caliber revolver. E

Death took place Sunday day. Nov 7 th 1886 at 8:13 o'clock A.M.

The Autopsy revealed 4 pistol wounds in the F
which had been sutured - Large
amount of sub-peritoneal hemorrhage.

Remarks: No blood in the peritoneal G
cavity. - Laparotomy & the suturing
of the intestines was done the night before.

C.R. Parker M.D.

HOUSE SURGEON PHYSICIAN

- Ad. 1. State the day of the week.
Ad. A. State whether by Ambulance or Friends.
Ad. B. State whether from a Precinct or a Residence and give the name.
Ad. C. State whether from Natural Causes or from Shock (conscious or unconscious) due to Injuries, and if so, give name, place, date, number, character, and Extent of Injuries, always stating where indicated, whether right or left.
Ad. D. State when, where, how, by what means or persons received, also whether Accidental, Suicidal, or Homicidal; in falls, the distance, location and place; in Burns and Scalds the circumstances attending the same; in runaway cases, the line of Street Car, Railroad or Conveyance; in Weapons, the character of the same, &c., &c., always giving such information as will lead to an accurate knowledge of the case and facilitate judicial inquiry and justice.
Ad. E. State name, date, place, character and results of any operation or amputation performed.
Ad. F. Give a short résumé of the Autopsy with the Pathological Diagnosis and the Cause of Death at the End.
Ad. G. State here any important facts not embodied in the above statements.

M. J. Messinger

POOR QUALITY
ORIGINAL

0780

MEMORANDUM.

| AGE. | | | PLACE OF NATIVITY. | WHERE FOUND. | DATE, When Reported. |
|-----------|---------|-------|--------------------|-------------------|-------------------------|
| 24 Years. | Months. | Days. | U. S. | Chambers St. N.Y. | Nov. 7/86 |

RECEIVED

AN INQUISITION

On the VIEW of the BODY

William W. H. H.

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

Henry LeStrange

Original taken on the 7th day of December 1886

M. J. O. McAvoy Coroner.

RECEIVED
DEC 13 1886
DISTRICT ATTORNEY'S OFFICE
Date of Death Nov. 7/86

N.Y. General Sessions.

The People &c.

v.

Thomas Kelly

Indicted for Accessory.

&c.

Please to take notice that we shall move this Court before Hon. Henry A. Gildersleeve, one of the Judges holding Part I thereof, on Monday March 14th 1887, at 11 o'clock in the forenoon for the discharge of the above named defendant, who is held as a witness in the house of detention, on the ground that this defendant was discharged from the above named indictment, and transferred to the house of detention as a witness in the Homicide case of Thomas La Strange, who was sentenced to the State Prison for fifteen years, on March 10. 1887, and for such further and other relief as may be just.

Dated March 11. 1887. Yours &c.
Howard Hummel
To Randolph B. Martine, Esq. (Atty. for Deft.)
District Attorney &c.)

POOR QUALITY
ORIGINAL

0782

N.Y. General Sessions

The People vs.

vs
Thomas Kelly

Copy
Notice to Dist.
Atty.

Howe & Winick

Depts Atty.

29 Centre St.

New York City



To Paul J. [unclear]

Martinez, Esq.

Dist. Atty.
Judge

**POOR QUALITY
ORIGINAL**

0783

-----X
The People &c.

vs.

Lestrangle
-----X

Statement :

Leucius P. Philippucie, I live at 126 Hester Street in the City of New York. I am an engineer. It is five months since I came back from Panama. On November 6th, I was at the door of my house, which is right across the street from Nicoll's saloon, I heard a noise which sounded like the emptying of a coal wagon. After I heard the noise I saw Mr Nicolls push a man up the beginning of the steps of his place. The man had a revolver in his hand. I saw the man struggle and turning himself, as if trying to get back into the saloon. After that the man went towards the - corner of Christie Street and went away.
I know Mr. Nicolls.

POOR QUALITY
ORIGINAL

0784

The People vs

vs.

Restraints

Statement of
Lorenzo Philippsen

POOR QUALITY
ORIGINAL

0785

House of Detention

Wednesday morning

M. 9th 1884

Mr. Martine

Dear Sir

Trusting you will pardon me
for the liberty I have taken
upon myself in writing to you,
but as I cannot quite understand
why I am still Detained here,
as I saw in the papers that
Lestrang pleaded Guilty and,
in regards to Nickson case I don't
know anything about it,
Trusting you will please
favor me with a reply,
as to my being Detained,
hear

Yours Humble
Servant
Bertha Fisher

People
vs
Nichols

March 17th
67-

Mr. Carter

Sir, I concluded
I would write you and
ask you to give me
time to my case, as I have
been informed that you
were the person who
acted to cases of this kind.
I have ever been con-
fined in the House of Deten-
tion for nearly 5 months, held
as a witness in the case of Henry
Le Strange, charged with
murder, during this time, I
have entirely run out the
clothing I had, and at the
present time, I am entirely
ragged, especially regarding
trousers and shoes -
I am shivering, and totally

POOR QUALITY
ORIGINAL

0787

unable to attend them, and
write to the President in
charge of the Institution
but he said we that Mr.
Bentley was so busy that
he would be addressable to
order to you, Hoping that
his visit would be of your
kind consideration and
remain. Respectfully
Yours
Michael Kehoe

Police Court }
Third District }

The People

Thomas Nichols and
Thomas Kelly.

Examination Before Justice Ford
Nov. 13 1886

To the People, Assistant District Atty - A. H. Purdy
Defendants - Oscar Bryant.

Thomas Kelly, the defendant, being duly sworn and examined as a witness in his own behalf deposes and says: I am 28 years old. I am a moulder. I reside at 130 Eldridge street. This afternoon of the 6th of November last I had been drinking considerably. To the best of my recollection between the hours of one and two P. M., I was sober at that time. I met Michael Kehoe at 139 Eldridge street, and Thomas Nichols. I invited them to have a drink which was done. We had some general conversation and another drink followed, and to the best of my knowledge another. We then sat down at a table at the rear of the saloon and talked of nothing

of any importance that I can recollect. At that time I was far from sober. I laid my head upon the table and dozed, asleep. The next thing I recollect was being awakened by a pistol shot and started up - confused momentarily. I did not know what had occurred for a moment. I saw a scuffle at the bar - between the end of the bar and the door. I recognized Thomas Nichols struggling with a man who exclaimed "Let me get out". The man darted up stairs and turned towards Chrystie street. Michael Kehoe in the mean time, had gone to the door leading to a closet, and was followed by Nichols. There were cries of a man moaning in pain. Nichols came out, followed by ^{Wm.} Walker who was being assisted by Michael Kehoe. Walker had his hand thrown across his stomach and made a remark, to the best of my knowledge ~~was~~ ^{was} ~~passing~~ ^{passing} ~~me~~ ^{me} I think "I am hurt bad" or "I am hit bad". They led him to the side room on the right and seated him on a chair. Walker said "I feel very bad; some one

go for a doctor. Nichols turned to me and said "Tom: go for the doctor."

Q There was a doctor residing on the premises?

A Yes, Sir.

Q Give the doctor's name?

A I went up stairs to Dr. Gould's office and knocked at the door and inquired if he was in. The attendant said he was not in. I asked what time he would be in. The attendant said it would be quite a long time. I was seated at the time. I came down stairs again and found Walker Nichols and Kehoe still in the side room. Walker's shirt was up; his clothes unbuttoned, and they were examining the wound. I told them the doctor was not in, and Nichols told Michael Kehoe to go get a coach, at the same time asking Walker whether he would go home or go to the hospital. Walker replied "Get me to a doctor as quick as possible." Walker remained sitting in his chair and retained his senses all the time. I asked him what I could do for him. He said "You go; or tell Tom to

go to 434. I cannot recollect
the number - East 15th street
Previous to that - I have left something
out. At the time Walker was
informed that the Doctor was not
in and the hospital was mentioned.
Walker said: "Yes, I will go to
the hospital: it is the best
place I think. because I must
be attended to." Walker took
from his pocket fifteen dollars
and a watch and chain and
handed them to Nichols, saying
"Pay the coachman and give the
balance to my brother. In the
meantime I asked him how he
felt. He said "about the same".
I asked him if he would not
feel easier if I placed his
feet on the opposite chair.
Was that before or after you
went for the doctor?

Q That was before ^{after}. He said
"Yes" I did so. At that time
the coachman arrived and
Kehoe came down. I asked
him if he was able to go
up stairs. He replied "Yes".
He got up, and, with some
little assistance he walked
up stairs and got in the coach.
Kehoe got in first, followed

by Walker. I asked Kehoe if I should go to the hospital with him. He said Yes, I had better go. On the way down to the hospital, Walker kept moaning ~~repeatedly~~ ^{repeatedly}. I asked him if there was anything I could do for him. He said no. Passing Chatham Square, he asked how far we were. I said "we are near." When we got to the hospital I told Kehoe to go in and inform the doctors which he did. The doctors came out and asked him how he felt. He said he felt cold. I assisted him out of the coach across the walk to the basement of the hospital in company with the attendants of the institution. I started down stairs with him to the basement of the hospital. One of the attendants turned around and informed me that I would not be admitted down there. I came up to the sidewalk again - a crowd had gathered. Kehoe was not to be seen - whether he went away with the coachman I am unable to say - and I left.

Q Where did you go then?
A - During our ride from the saloon to the hospital I said "What will I tell about this occurrence to Tom?" "Well Walker said "You had better go and tell him to see Nichols." I came up town from the hospital - I walked up as fast as possible. I came into Nichols saloon and told him that I had left the man at the hospital; that I did not know what to say to Walker's brother about this occurrence. Nichols said "Go and tell him that I would like to see him." I went to Walker's brother's house in Dorset street, knocked at the door and was invited in. I met Thomas Walker there and told him that I had bad news for him. He said "This is no more than I expected" or "I am not surprised" or something to that effect. He asked me where his brother was and I told him he was in the hospital. He asked whether he was much hurt. I said "I am unable to say tell you" you go to

Q Nichols: He will be pleased to give you more news than I have got. That is all I know. Did you at any time, from the time your attention was attracted to the report of the pistol up to the time that you went to the hospital with the wounded man see the party who did the shooting or the man supposed to have done the shooting?

A Yes Sir, when the man and Nichols were scuffling

Q Did you aid or assist in any shape or form or by any action or word of yours, in the escape of this person who was scuffling with Nichols?

A None at all

Examination by Mr. Parry

Q How long have you known the deceased - Walker?

A Four years Sir.

Q Do you know L' Estrange?

A Yes Sir

Q How long have you known L' Estrange?

A Six months.

Q You knew that he was the man who was scuffling with

Nichols?

A- Yes Sir

2 Why did you not mention his name on the direct examination?

A- I did not know that it was necessary

2 You were asked at the hospital where you brought the man from?

A- Yes.

2 - And what did you reply?

A- I told them Hester and the Bowery

2 He was not there?

A- No; that is what he said himself first.

2 You say you were ~~drunk~~ ^{drunk} on this occasion?

A- I was drinking I was far from sober. I had my senses.

2 How is it that you recollect with the greatest exactness and minuteness all the transactions of that occasion?

A- I was not very drunk - I was drinking I began to sober up after this occurrence

2 You heard the shot?

A- I heard the shot

2 Is it not a fact that you know that L. Exchange and

Walker had a quarrel?

A I thought L. Eschwege and Walker were the best of friends.

Q Did you not know as a matter of fact that L. Eschwege shot Walker?

A As a matter of fact I did not see the shooting.

Q Did you not suspect it?

A I suspected it.

Q Why is it that you did not tell the police about it, or inform his brother?

A I thought that Walker the injured party would be able to attend to that business himself.

Q He was not in very good shape for that was he in the hospital?

A He could inform the authorities where he was.

Q How long did it take you from the time you left the hospital to go to Nichols saloon and to Forsyth street - the whole business?

A About half an hour - or forty minutes.

Q After you left from Walker what did you next do?

A I went to the corner of Chryche and Hester streets.

- Q - What place is that?
A - A liquor saloon
Q - How long did you stay there?
A - About fifteen minutes
Q - From there where did you go?
A - In the corner of Hester and the
Bowers - Spencer's Saloon
Q - How long did you stay there?
A - Five or six minutes
Q - From there where did you go?
A - I walked down the Bowers to
Bazard Street - I may have
gone as far as Birnam Street - I
cannot swear.
Q - At what hour of the day was
this shooting?
A - About half past four p.m.
Q - What time did you go to bed?
A - I judge about 2 o'clock
Q - And between those times you
were going to these liquor
saloons?
A - Yes Sir - and went home intox-
icated?
Q - When were you arrested?
A - I was arrested in bed about
4 a.m.
Q - Why did you not tell the
policeman when he asked you
- and you told him that you
did not know anything about
it?

A I could not say. I was drunk
I did tell Bager I did not know
anything about it - sure.

Q Officer Bager met you in the
afternoon evening?

A- Yes.

Q And you told him you did
not know anything about it?

A- Yes.

Q And all the time you knew
about L'Estrange?

A I did not know as a matter
of fact that he had shot
him.

By Mr. Boyant -

Q You did not tell him that
L'Estrange had shot the man
because you did not know it
as a matter of fact?

A- No Sir

By Mr. Purdy - You did not tell him
anything about L'Estrange?

A- No Sir

Q Did you not tell him that you
did not know anything about
it?

A I believe I did.

By Mr. Boyant

Q And when you told the officer

you did not know anything about
it you told the truth?

A- In the best of my belief

By Mr Purdy -

2- What kind of a watch was it
that ~~Prophet~~ Walker gave to
Nichols?

A- It seemed to be a gold watch.

2- Was it this watch

{ A silver watch produced
by Capt. Allaire }

A- No, Sir.

By Mr Prophet

2- Do you know of your own knowledge
what ^{became of the} watch Walker gave to
Nichols?

A- Not after it was handed to
Nichols

2- Do you know whose possession it
was in?

A- From what I understood it was
taken from Walker's possession

Subscribed before me this
13th day of November
1886

J. H. Perry, Clerk
Police Justice

Thomas Kelly

Police Court, District:

City and County
of New York, ss.

of No. 18 Hamilton Street, aged 49 years,
occupation: Lying Shoeman being duly sworn, deposes and says,
that on the 6th day of November 1886, at the City of New
York, in the County of New York, he was informed by

his son Thomas Walker now
here that deponents son William
Walker had been shot and
had been taken to the Chamber
Street Hospital. Dependent further
says that at about Eight O'clock
A.M. of November 7th 1886 said
William Walker died at the
said Hospital his death having
been caused by the pistol shot
wound. Dependent further says
on information and belief that
said wound was received of
said Walker at the hands of
Harry Destrang that the
grounds of said information
and belief are the affidavits
of Thomas Walker, Beatha
Fisher, William E. Smith,
Michael Kehoe, Anthony J.
Allaire and Etienne Payer
hereto attached and forming
part of this Complaint and
dependent further says on infor-
mation and belief that Thomas
Nichols and Thomas Kelly
did harbor conceal or aid
the said Destrang to escape
from arrest with intent that
he said Destrang could avoid
a trial or conviction for said
killing of said Walker they the
said Nichols and Kelly having
knowledge or reasonable grounds

to believe that said LeStrange
was liable to arrest for
said felony, all of which more
fully appears by said affidavits
hereto annexed. Wherefore
deponent prays that a warrant
issue for the arrest of said
LeStrange, for said killing
as aforesaid and a warrant
for said Nichols and Kelly
as accessories to said felony
as provided in Section
30 of the Penal Code of the
State of New York.

Sworn to before me
this 9th day of November 1888 } John W. Walker
John W. Walker } his
Police Justice } mark

City of New York }
New York }

Henry Chapman being duly
sworn deposes and says: I am
a policeman of the 10th precinct.
On Nov 6 I arrested Thomas Kelly
known as "Blinky Kelly" charged
with being one of the men who
took the deceased William Walker
to Chamber Street Hospital on
that date. He said Thomas
Kelly at that time denied all
knowledge of the shooting of
the said Walker, and denied
that he was one of the men
who took said Walker to the
hospital

Sworn to before me
this 13th day of November
1882.

J. Murray Ford

Police Justice

Henry Chapman

City and County } ss.
of New York }

Etienne Beyer, being duly sworn
deposes and says: I am a po-
lice man of the Tenth precinct. On
November 6, last, I arrested
Thomas Nichols (now here) in the
premises kept by him at No
139 Hester street and asked
him whether he had been at
his place of business all day
on November 6. He replied
that he had been there all
day until 10 p m, and at
the same time denied positively
all knowledge of any shooting
having taken place in his
saloon on that day.

Sworn to before me
the 13th day of November
1906
J. Henry [Signature]
Police Judge

Etienne Beyer

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

POLICE COURT,

3 DISTRICT.

Thomas Walker

of No

69 Trazet

Street, being duly sworn, deposes and says,

that on the

day of

November

1886

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

That at about Six O'clock PM of the above date while deponent was asleep in his room at the above number he was suddenly awakened by a knock upon his room door and when deponent got up and opened the door he saw said defendant Thomas Kelly standing at said door immediately upon deponents opening the door said defendant said "I have got bad news for you," deponent then said it didn't surprise me a bit. I then asked said Kelly if he was dead meaning, William Walker my brother. said defendant Kelly said in reply that he couldn't tell me and said go around and see Tommy Nichols. I then went immediately around to No. 139 Nester street and saw Tommy Nichols. The upon went I entered the said Tommy Nichols Saloon at No. 139 Nester street he said Nichols took me into an adjoining room and told me that my brother and Henry Le Strange came into the Saloon together at about 5 O'clock PM of the above date and had a few words together and that the said

William Walker was walking up
and down the floor in front of the
bar while Le Strange was leaning
with both Elbows on the bar with
his hands supporting either side
of his face and that while my
brother was still walking the floor
and while his back was toward
the said Le Strange he the said
Johnny Nichols saw said
Le Strange pull a pistol out of his
pocket and point it at and dis-
charge it at my brother William Walker
and that before he said Le Strange had
time to discharge the second shot
he Johnny Nichols caught hold
of him and then the said Le Strange
broke away from him and ran
out of the front door. ^{deponent is further}
^{informed by said Nichols that said Kelly and Michael}
^{before court with said William Walker to the Hospital}
this 8th day of November 1886 } Thomas Walker
J. H. M. Ford
Police Justice

POLICE COURT— DISTRICT.

THE PEOPLE, & C.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated

188

Magistrate.

Officer.

Witness.

Disposition

City & County of }
New York } N.Y.

Bertha Fisher, being duly sworn
deposes and says I am nearly
19 years old. I live at 126 Hester
St. I was looking out the window
of my home about 5 A.M. on
Nov 6 and heard a pistol
shot. Shortly afterwards I
saw a coach drive up to No
139 Hester street and then I
saw Michael Kehoe and
Thomas Kelly, (now here) in the
act of carrying a man up
the steps of the basement of
139 Hester street, and they
placed the man in a carriage.

Sworn to before me
this 9th day of November
1886

Bertha Fisher

J. Murray Dock
Notary Public

City and County of
New York } ss.

Walter E. Smith being duly sworn
Deposes and says: I am 28
years old. I live at 124 Hester
street. I attend a cigar store.
About 5 o'clock P.M. on Nov
6 I was standing opposite No
139 Hester street. I saw a
man dressed in a short sack
coat a light pair of pantaloons
and a black derby hat, go into
the basement of 139 Hester street
where I saw several persons,
among them Thomas Nichols
whom I knew as proprietor
of the place. About half an
hour after the man with a
short sack coat entered the
room I heard a shot, and
saw that there was a disturbance
in the place. I saw this man
in the sack coat in the
act of shooting. I saw Nichols
the proprietor take hold of the
man in the sack coat after
the shooting as if to prevent

his shooting more. Then I
saw the man in the
man in the sack coat try
to shoot again over Nichols
shoulder. Then I saw
Nichols wrest the pistol
from the man in the sack
coat, and push him up
stairs. Then I saw the
~~Defendants~~ Michael Kehoe
and Thomas Kelly (nowhere,
carry the man who was shot,
(William Walker) up the stairs
and put him in a carriage
and drive off with him. I
do not know the name of
the man in a sack coat. I
have seen him often in the
neighborhood.

Osworn to before me this
9th day of November 1886

Walter C. Smith

J. Henry Ford
Notary Public

City & County of
New York

Michael Kehue, being duly
sworn deposes and says: I
am 40 years old. I live at
341 Water street, I am a bar
tender. I was present in the
basement at W 139 Herola
street at about 5 o'clock P.M.
on November 6 at the time one
William Walker was shot.
I was sitting at a table partly
asleep. There were present
Thomas Kelly known as
Thomas Nichols, (nowhere) and
William Walker. I was
awakened by the shot and
saw Walker with his hand
to his hip falling. At that
time there ^{were} present William
Walker, Thomas Kelly, Thomas
Nichols and a man I do
not know, and myself. I
saw Nichols tell the strange
man to "Get out of here,"
and Nichols shoved him
out. Then I and Kelly

carried Walker out, I went
for the coach and Kelly
and I put Walker in the
coach and went with it to
the hospital. I did not go
into the hospital. I do not
know who fired the shot
at Walker. I did not see
any pistol.

Known to before me
this 9th day of November
1886

J. Henry Ford

Robert Fisher

Michael C. Coker

POOR QUALITY
ORIGINAL

0811

CITY AND COUNTY } ss.
OF NEW YORK,

aged 57 years, occupation Capt Police of No. 17

the Street Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Stephen Bayne

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

Sworn to before me, this 8

day of Nov 1888

Anthony J. Allaire

J. Munnford

Police Justice.

POOR QUALITY
ORIGINAL

0812

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

POLICE COURT,

DISTRICT.

Etienne Beyer
of No *the 10th Precinct* Street, being duly sworn, deposes and says,
that on the *8th* day of *November* 1886
at the City of New York, in the County of New York, *he arrested*

Thomas Nichols and Thomas Kelly (both now here) on suspicion of having been concerned in the assault upon William Walker. Depovent is informed by Anthony J. Allain Captain of the 10th Precinct Police that he was informed by Thomas Walker that his brother William Walker was assaulted by an unknown person between four and five o'clock P.M. of the above date in the saloon No 939 Hester street by a pistol shot, the ball of said pistol taking effect in the abdomen of the said William Walker causing his death at the Chambers street Hospital between 7 and 8 o'clock A.M. on Nov 8th 1886.

Depovent prays that the said Thomas Nichols and Thomas Kelly be committed to custody & Depovent to obtain further evidence.

Sworn to before me } *Etienne Beyer*
this 8th day of Nov 1886 }
John J. Ford
Police Justice

POOR QUALITY
ORIGINAL

0813

POLICE COURT — DISTRICT.

THE PEOPLE, & C.,

ON THE COMPLAINT OF

AFFIDAVIT.

vs.
Thomas Nichols
Thomas Kelly

Dated Nov 8 1888

Frank Magistrate.
Capt. M. Anderson, Bay Officer.

Witness, Michael Keane
Committed to
House of Detention
in default of
\$2500. bail

Disposition compr. ex
Nov 11th 2.15 PM
113th 9.0 AM

POOR QUALITY
ORIGINAL

0814

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK

District Police Court.

Thomas Kelly
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

Thomas Kelly

Question. How old are you?

Answer

28 years

Question. Where were you born?

Answer.

New York

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

Answer.

Allen street

Question. What is your business or profession?

Answer.

Moulder

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 I have told
all I know in my testimony
herewith annexed*

Thomas Kelly

Taken before me this

19th

day of

September

1886

Police Justice.

POOR QUALITY
ORIGINAL

08 15

Sec. 151.

Police Court 3 District.

CITY AND COUNTY }
OF NEW YORK, } ss

In the name of the People of the State of New York: To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York. GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by John W. Walker of No. 188 Street, that on the 9 day of Nov. 1888 at the City of New York, in the County of New York,

Namé L. Strange did feloniously aim at and discharge a pistol loaded with lead and ball at the body of William Walker said ball lodging in said William Walker's body and subsequently causing said William Walker's death.

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 3 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 9 day of Nov. 1888
F. Henry Ford POLICE JUSTICE.

POLICE COURT. DISTRICT.
THE PEOPLE, &c.,
ON THE COMPLAINT OF

Warrant-General.

REMARKS.

Time of Arrest,

Native of

Age,

Sex

Complexion,

Color

Profession,

Married

Single,

Read,

Write,

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

188

Dated

This Warrant may be executed on Sunday or at night.

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

Thomas S. Nichols
and Thomas Kelly

The Grand Jury of the City and County of New York, by this indictment accuse *Thomas S. Nichols and Thomas Kelly* of the crime of *Accessory to the felony of*
~~of the crime of~~ Murder in the First Degree, committed as follows:

~~The said~~ Heretofore, to wit: on the *ninth*
day of November, 1888 ~~at the City and County of New York aforesaid, on the~~
~~day of~~ ~~in the year of our Lord one thousand eight hundred and~~
~~eighty~~ ~~at the City and County aforesaid, with force and arms, in and upon one~~
William Walker, in the peace of the said People then and there being,
wilfully, feloniously, and of *his* malice aforethought, did make an assault, and the said
Harry Se Strange, a certain pistol then and there charged and
loaded with gunpowder and one leaden bullet, which said pistol the said *Harry*
Se Strange in *his* right hand then and there had and held,
to, at, against, and upon the said *William Walker*,
then and there feloniously, wilfully, and of *his* malice aforethought, did shoot off and
discharge, and the said *Harry Se Strange*,
with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gun-
powder aforesaid, shot off, sent forth, and discharged, as aforesaid, *him* the said
William Walker, in and upon the *head* of *him*
the said *William Walker*, then and there feloniously, wilfully, and of
his malice aforethought, did strike, penetrate, and wound, giving to *him*
the said *William Walker*, then and there, with the leaden bullet
aforesaid, so as aforesaid discharged, sent forth, and shot out of the pistol aforesaid, by the

POOR QUALITY
ORIGINAL

0017

said *Henry De Strange*, in and upon the *head* of
the said *William Waller*, one mortal wound of the breadth
of one inch, and of the depth of six inches, of which said mortal wound *he* the
said *William Waller*, at the City and County aforesaid,
from the said *sixth* — day of *November*, in the
year aforesaid, until the *ninth* day of *November*, in the same year
aforesaid, did languish, and languishing did live, on which said *ninth* —
day of *November*, in the year aforesaid, the said *William*
Waller, at the City and County aforesaid, of the said mortal wound did die.

~~And so the Grand Jury aforesaid do say: That the said~~

~~the said~~ ~~in the manner and form, and by~~
~~the means aforesaid, wilfully, feloniously, and of~~ ~~malice aforethought, did kill,~~
~~and murder, against the form of the Statute in such case made and provided, and against the~~
~~peace of the People of the State of New York and their dignity.~~

~~RANDOLPH B. MARTINE,~~

~~District Attorney.~~

And the said *Thomas F. Nichols*
and *Thomas Kelly*, both Justices of the
City and County aforesaid, having
knowledge and reasonable ground
for believing that the said *Henry*
De Strange had committed the
felony and murder aforesaid, in
manner and form aforesaid, and
was liable to arrest therefor, after
the commission of the said felony
and murder, to wit: on the said *sixth*
day of *November*, in the year aforesaid,

at the City and County of New York,
with force and arms, did feloniously
harbor, conceal and aid him the said
Harry Le Strange, with intent that
he the said Harry Le Strange might
avoid and escape from arrest, trial,
conviction and punishment for the
said felony and murder, and thereby
became and more accessories thereto;
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.

Handwritten signature
District Attorney.

08 19

BOX:

238

FOLDER:

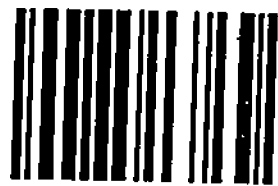
2325

DESCRIPTION:

Nitzsche, Ferdinand

DATE:

11/16/86



2325

0820

Remained Monday
to that we may not
that had no more money

Witnesses:
J. M.
M.

161 B
11 2

Counsel,
Filed 16 day of Nov 1886
Pleads Not Guilty

THE PEOPLE
vs.
Ferdinand Nitzeche
Grand Larceny, 1st degree
[Sections 528, 580, Penal Code]

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

A. W. Smith
Foreman.
Pleads Guilty
J. M. S. M. P.

0021

Police Court—

District.

Affidavit—Larceny.

City and County }
of New York, } ss.of No. 161 Chrystie Street, aged 21 years,
occupation Water being duly sworndeposes and says, that on the 11th day of November 1886 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:

Good and lawful money of the United
States in Bank bills of the amount and
value of Four Hundred & fifty Dollars
one pair of Diamond Earrings and
four finger Rings of the value of two
Hundred and fifty Dollars and Eighty
Pebbles of the value of Forty Dollars
altogether of the value of Seven Hundred
and Forty Dollars

the property of Bella Morchand & 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 Ferdinand Nitzsche

(Nowhere) from the fact that deponent
is informed by his Mother Bella
Morchand that at about the hour
of five o'clock P.M. on the above described
date the defendant came to the
apartments where deponent and his Mother
resides No 161 Chrystie Street with the
intention to make out a policy for the
insurance of deponents furniture
and said Bella had the pen ink
and paper prepared for the defendant
to make out the said insurance policy
and said Bella saw the box containing
said money & jewelry and saw

Signed to before me, this

1886

Notary Public

~~in a~~ ~~box~~ in a bureau drawer at
 about the hour of three o'clock P.M. on
 said date and said Cella never left
 said apartments from the time she saw
 the said property until the defendant
 came into said apartments to make
 out said policy and the defendant
 asked said Cella to go out and get
 a pint of beer and said Cella refused
 at first to go for said beer and the
 defendant prevailed on said Cella to go
 for a pint of beer said Cella finally went
 out for the beer and left the said defendant
 alone in said apartments and when said
 Cella came back to said apartments
 with the pint of beer the defendant
 immediately went out and did not make
 out the policy or drink any of the beer
 said Cella immediately noticed that
 the bureau drawer was open and
 the aforesaid box containing said money
 & jewelry missing. Defendant is further informed
 by Officer Dietrich Doree of the 10th Precinct
 Police that when he arrested said defendant
 the defendant threw the tin box here shown
 away in Tompkins Market and Defendant
 has since seen said tin box here shown and
 identified the same as the tin box containing
 the aforesaid property taken stolen and
 carried away as aforesaid.

Sworn to before me this
 14th day of November 1886
 J. J. [Signature]
 Police [Signature]

his
 Demand & Merchand
 Mark

0823

CITY AND COUNTY }
OF NEW YORK, } ss.aged 90 years, occupation Housekeeper of No. 161 CongressStreet, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Bernard Morchand and that the facts stated therein on information of deponent are true of deponents' own knowledge.Sworn to before me, this 14th day of Nov 1886 } Bella Morchand
MarkJ. Humphord
Police Justice.CITY AND COUNTY }
OF NEW YORK, } ss.aged 38 years, occupation Police Officer of No. 10th Precinct PoliceStreet, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Bernard Morchand and that the facts stated therein on information of deponent are true of deponents' own knowledge.Sworn to before me, this 14 day of Nov 1886 } Dietrich Dokel
Dietrich M. DokelJ. Humphord
Police Justice.

0824

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY
OF NEW YORK, { ss

Ferdinand Witzsche 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.

Ferdinand Witzsche

Question. How old are you?

Answer.

19 Years

Question. Where were you born?

Answer.

New York City

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

Answer.

No Home

Question. What is your business or profession?

Answer.

No Employment

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

Answer.

I have nothing to say

Ferdinand Witzsche

Taken before me this

day of

188

November 14

Police Justice.

0025

BAILED,
No. 1, by _____
Residence _____
Street _____
No. 2, by _____
Residence _____
Street _____
No. 3, by _____
Residence _____
Street _____
No. 4, by _____
Residence _____
Street _____

*161
Police Court
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Demand Merchand
161 Christie
Cardinal City

2 _____
3 _____
4 _____

Date _____ 1886

And
Magistrate.

10
Precinct.

161 Christie
Witnesses
See the Officer

No. _____
Street _____
1000
RECEIVED
NOV 15 1886
DISTRICT ATTORNEY'S OFFICE
See the Officer

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

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

Dated _____ 1886. _____ Police Justice.

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

Dated _____ 1886. _____ 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 _____ 1886. _____ Police Justice.

0026

VI

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

December 28, 1887.

Sir:

Application for Executive clemency having been made on behalf of Ferdinand W. Nitzsche,-----who was convicted of Grand Larceny 1st degree in the county of New York,-----and sentenced December 24, 1886 to imprisonment in the Sing Sing Prison----- for the term of five years,-----I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since conviction?

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

I am,

Hon. R.B. Martine,
District Attorney,
New York City.

very respectfully yours,

William S. Rice,
Private Secretary.

0828

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

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

Ferdinand Nitropedne -
of the CRIME OF GRAND LARCENY IN THE *First* DEGREE, committed
as follows:

The said

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

divers promissory notes for the
payment of money, of a number, kind
and denomination to the Grand
Jury aforesaid unknown, of the
value of four hundred and fifty
dollars, four foreign notes of the
value of fifty dollars each, two
notes of the value of one hundred
dollars each, and divers coins, called
notes, of a number, kind and denomination
to the Grand Jury aforesaid unknown,
of the value of forty dollars. —

of the goods, chattels and personal property of one

Samuel Mordant, —

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.

Richard B. Smith
District Attorney.

0029

BOX:

238

FOLDER:

2325

DESCRIPTION:

Noble, Frank

DATE:

11/16/86



2325

POOR QUALITY
ORIGINAL

0030

Witnesses:

For the reasons stated
in annexed report of
Assistant Attorney General
I recommend that within
my district be dismissed.
December 8, 1886.
Randolph B. Martine
Dist. Atty.

X175B

Counsel,

Filed

16 day of Nov 1886

Pleads,

Washington.

THE PEOPLE

vs.

Frank Noble

Burglary in the Third Degree.
Grand Jurors, and Degree.
Sections 499, 506, 528, 551, 550

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

[Signature]
Foreman

Dec 8/86.

[Signature]
Indictment dismissed

POOR QUALITY
ORIGINAL

0831

List of tools stolen by
Daniel Noddi, from J. L. Townsend.

| | | |
|-------|------------------------------|-------|
| 1 | long jointer | \$160 |
| 1 | rabbit plane | 60 |
| 1 | panel saw | 1 33 |
| 1 | set of bits | 3 50 |
| 1 | counter sink for wood | 72 |
| 1 | lot of socket chisels | 2 00 |
| 3 | socket gauges, 1/4, 3/8, 1/2 | 7 75 |
| 2 | bevels, 8" x 2" @ .35, 2.42 | 77 |
| 1 | batting hatchet | 70 |
| 2 | framing chisels 1 1/2" x 2" | 1 70 |
| 1 | mallet iron barrel | 50 |
| 1 | chair line reel | 20 |
| 1 | gauge | 33 |
| 1 | 1/4 in bead. | 45 |
| 1 | draw shave | 45 |
| | | 15 90 |
| over. | | |

POOR QUALITY
ORIGINAL

0832

| | | | |
|---|-------------------------|----|-------------|
| 1 | Ant brought forward, | 75 | 20 |
| 1 | miter | | 68 |
| 1 | monkey wrench | | 75 |
| 1 | hollow | | 40 |
| 1 | set match planes | 4 | 65 |
| 1 | plow with set of irons | 4 | 50 |
| 1 | spoke shaver | | 40 |
| 1 | extension bitt | | 200 |
| 2 | back saws | | 250 |
| 1 | drill bitt | | 30 |
| 1 | rasp | | 30 |
| 1 | stone slip | | 20 |
| 2 | round file | | 65 |
| 1 | pr saw clamps | | 80 |
| 1 | scraper | | 25 |
| 1 | set hollow & round No 4 | | 75 |
| 2 | hand screws | | 70 |
| 1 | saw set | | 100 |
| 1 | bench screw | | 150 |
| 1 | circular plane | | 200 |
| | | | <u>3823</u> |

over.

| | | |
|---|----|-----|
| Ant- brought forward, | 38 | 23 |
| 1 Turner gauge, | | 75 |
| 1 left hand rabbet | | 90 |
| 5 or 6 nail bitts | | 50 |
| 1 smoothing plane | | 200 |
| 1 bench dog, | | 25 |
| 1 counter sink for iron | | 20 |
| 1 brass ant. | | 40 |
| 1 drill bitt | | 30 |
| 2 bitt files @ .75 | | 30 |
| 2 round files, 90. & 85. | | 65 |
| 1 tool stamp p. G. I. | | 75 |
| 4 or 5 lead pencils | | 70 |
| 1 1/2 in chisel beveled for paring joints | | 20 |
| 1 set hollow & round No 40 | | 100 |
| 1 turnisher | | 25 |

\$4648

respectfully.

J. Loring Townsend

POOR QUALITY
ORIGINAL

0033

Police Court—5 District.

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

of No. 162 W 13th

J. Loring Townsend

Street, aged 28 years,

occupation Carpenter

being duly sworn

deposes and says, that the premises No 133 West 63d

Street,

in the City and County aforesaid, the said being an unoccupied house

~~and which was occupied by deponent at~~

~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly opening the
front basement door leading into said
premises

on the 30 day of October 1886 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Carpenters tools consisting of five Planes
of the value of Ten dollars and other tools
all of the value of Fifty dollars

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

Frank Noble (now here)

for the reasons following, to wit: That deponent found part
of said property in the possession
of said defendant

Sworn to before me J. Loring Townsend
this 13th day of Nov 1886
Sam'l C. Kelly Police Justice

POOR QUALITY
ORIGINAL

0034

Sec. 198-200.

5#

District Police Court.

CITY AND COUNTY { ss
OF NEW YORK,

Frank Noble 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; 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. Frank Noble

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. Cleveland Ohio

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

Answer. 37 W 71st St 5/- 3 m is

Question. What is your business or profession?

Answer. Janitor

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 of having them in my
room when I told the Complainant
that my brother Daniel Noble
stole them and he gave them
to me

Frank Noble

Taken before me this

day of

1886

Police Justice.

POOR QUALITY
ORIGINAL

0035

BAILED
No. 1, by William Noble
Residence 24 Bedford St.
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

Police Court 5 District 1702

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James T. Benson
Frank Noble

Offence Burglary

Dated Nov 13 1886

2 J. P. Kelly Magistrate
3/5/ Officer
PRECINCT
RECEIVED
1886
CLERK'S OFFICE

Witnesses
\$1000 & Nov 14 Street
9/2 a M Street

No. _____ Street
\$ 1000 to answer

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 Nov 13 1886 Sam'l C. Kelly Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

The Court of General Sessions

The People of the State of
New York
— against —
Frank Noble
defendant

City and County of New York J. Louis

Townsend being duly sworn says
that he is the complainant in the
above entitled action. That he resides
at No. 162 West 13th Street in the
City of New York and is a carpenter
by trade, that on or about the 30th
day of October 1886 he had certain
tools in premises unoccupied No. 133
West 63rd Street in the City of
New York that said premises were
in the course of ^{completion} ~~construction~~ the
doors of said premises were not lock-
^{but fastened} ed by boards and props. The said
tools were taken from said premis-
es by some one to this deponent
unknown the defendant was ar-
rested at the instance of this de-
ponent for the reason that three
pieces of the said tools were found

in the possession of defendant, the defendant stated to this deponent at the time of the arrest, that he the said defendant had found the said tools (3 pieces) in one of the vacant houses of which he had charge and which were situated adjoining to and in the same row with said premises from which the said tools were taken.

That on the 13th day of November 1886 deponent caused the defendant's arrest but since said last mentioned date deponent has further and more fully investigated the matter and believes that the defendant did not commit the theft but that he came into possession of said tools (3 pieces) through being in charge of the three adjoining houses, where they had either been left or dropped by the real thief.

Deponent has made diligent inquiry into the character and antecedents of the defendant and so far as deponent has been able to learn defendant has hitherto borne

a good character and depon-
ant is now satisfied that the
tools stolen from him were not
taken by the defendant and
in the interest of the due and
proper administration of justice
deponent in view of all the facts
desires to withdraw the complaint
by him made J. Loring Townsend
Subscribed and Sworn to
before me this 24th day
of November 1886
Joseph H. Leggett
Notary Public

N.Y. General Sessions

The People vs

Frank Noble

Defendant of Complaint
sent in support of re-
quest to be permitted
to withdraw Complaint

201 St. August

Corrival vs

25 Chambers St.

0040

~~Ampt~~ The Substantive should be
dismissed. Def. and now
be conducted in the presence,
and

**POOR QUALITY
ORIGINAL**

0041

Hon. Randolph B. Martine,
District Attorney.

Dear Sir :

In the matter of the People against Frank Noble indicted for Burglary in the third degree, Grand Larceny in the second degree and Receiving Stolen Goods, I respectfully report as follows :

From an examination of the papers and proceedings herein submitted for my consideration, I think the charge against the defendat is not well founded, and that the indictment should be dismissed.

It appears that certain carpenters tools were stolen on the 30th day of October 1886, from the house known as No. 133 West 63rd Street in the City of New York, then in course of erection. At the time of the commission of the crime the doors of the house were not locked but fastned by boards and props. The only evidence connecting the defendant with the commission of the crime, was the fact that some of the stolen tools were found in his possession. When arrested, defendant accounted for the possession of the tools by stating that he had found them in one of the vacant houses, of which he had charge, and which adjoined the house from which they had been stolen.

Since causing the arrest of defendant, the complainant has investigated the charge against him, and now feels that injustice has been done, and he is of opinion that the tools were not stolen by the defendant. He says that the

POOR QUALITY
ORIGINAL

0042

THE PEOPLE OF THE STATE OF
NEW YORK

against

Frank Noble

Report

RANDOLPH B. MARTINE,
DISTRICT ATTORNEY,
No. 82 CHAMBERS STREET,
NEW YORK CITY.

*Approved
Alfred B. M.
1/26/26*

POOR QUALITY
ORIGINAL

0043

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Franka Noble

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

Franka Noble

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

The said

Franka Noble

late of the *Twenty second* Ward of the City of New York, in the County of New York, aforesaid, on the *thirtieth* day of *October*, in the year of our Lord one thousand eight hundred and eighty-*six*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *Building* of one

J. Samia Townsend

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

J. Samia Townsend

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

POOR QUALITY
ORIGINAL

0044

SECOND COUNT—

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

Frank Noble
of the CRIME OF *Grand* LARCENY in the second degree, committed as follows:
The said *Frank Noble*,

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 the said day, with force and arms,

*Five planes of the value of two
dollars each, and divers other
tools, of a number and description
to the Grand Jury aforesaid
unknown, of the value of
forty dollars,*

of the goods, chattels and personal property of one

J. Saml. Sprouse—

in the *building* of the said

J. Saml. Sprouse—

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

POOR QUALITY
ORIGINAL

0045

THIRD COUNT—

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

Franka Noble —

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

The said

Franka Noble,

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

*five boxes of the value of two
dollars each, and several other
goods, of a number and description
to the Grand Jury aforesaid unknown,
of the value of forty dollars.*

of the goods, chattels and personal property of one

J. Samiel Townsend. —

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

J. Samiel Townsend. —

unlawfully and unjustly, did feloniously receive and have; the said

Franka Noble —

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.

RANDOLPH B. MARTINE,

District Attorney.

0846

BOX:

238

FOLDER:

2325

DESCRIPTION:

Nolan, Edward

DATE:

11/03/86



2325

POOR QUALITY
ORIGINAL

0047

Witnesses:

Counsel, *J. J. Nor*
Filed *Nov* 188*6*
Pleads *Not Guilty*

THE PEOPLE

vs.

Edward Nolan

[Sections 628, 632, Penal Code].
PETIT LARCENY.

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Foreman.

POOR QUALITY
ORIGINAL

0848

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 Nolan

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

Edward Nolan

of the CRIME OF PETIT LARCENY, committed as follows:

The said Edward Nolan,

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

one overcoat of the value of ten dollars,

of the goods, chattels and personal property of one *Thomas Caffrey,*

then and there being found, then and there unlawfully 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.

Randolph B. Martine

District Attorney

0849

BOX:

238

FOLDER:

2325

DESCRIPTION:

Norval, Alexander

DATE:

11/12/86



2325

POOR QUALITY
ORIGINAL

0850

12/13

WAK

Counsel,

Filed

day of

1886

Pleads,

Not guilty

THE PEOPLE

vs.

R

R.A.P.E.

(Sections 278 and 218, Penal Code.)

Alexander D. Howard
Dec 10/86

Spied & Arquetted

RANDOLPH B. MARTINE,

District Attorney.

A True Bill,

[Signature]

Foreman.

[Signature]

dec 10/86
G.S.B.

Witnesses:

POOR QUALITY
ORIGINAL

0851

Police Court, 5 District.

City and County } ss.
of New York,

Maggie Jefferson

of Depot Lane Fort Washington Street, aged 19 years,

occupation Married woman being duly sworn, deposes and says,

that on the 3 day of November 1886, at the City of New

York, in the County of New York, at about the hour of two

o'clock P. M. on said date deponent was in the aforesaid premises where she resides when Alexander D. Norval (nowhere) an officer attached to 32^d Precinct Police in said City came there and asked her if she was afraid of him

That deponent replied "Yes" and said defendant sat down on a chair and asked deponent to sit down on his lap and deponent replied she would not. That said defendant got up from the chair

and walked to where deponent was standing and caught hold of her by the arm and pulled her over to the chair that said defendant had previously sat down on. That said defendant sat down on the chair

and pulled her down on his lap and raised her clothes and said to deponent let me see your legs and said defendant caught hold of deponent around the body and threw her down on the bed. That deponent said she would get up

out of the bed and said defendant said to her do you see that club and then said defendant placed said club on a table alongside of the bed. That said defendant took off his coat and hat and placed them on a chair at the foot of the bed and unbuttoned his pantaloons

and took out his Penis and got

in the bed and raised her clothes and got on top of her and forcibly got between her legs and placed his Penis in deponents privates and told her to place her legs around said defendant's back and deponent would not and said defendant caught hold of deponents legs and forcibly placed them as aforesaid and then and there had sexual intercourse with her. That said defendant got off her and went to the tub and washed his Penis and thereafter put on his hat and coat and took his club and went out. Deponent further says that said defendant returned in about two hours thereafter and caught hold of her again as aforesaid ^{threw her on the bed and} and placed her face towards the bed and took his coat and hat off and got on top of her and said defendant placed his Penis in front of deponents mouth and asked her how she would like to have it in her mouth. That deponent replied that she never did such a thing and said defendant asked her to take it in her mouth for fun and she refused and said defendant caught hold of ^{her} around the body and again had sexual intercourse with ~~her~~ ^{deponent}. That said defendant again washed his Penis and put on his clothes and took his

club and when said defendant was going out the door said defendant said to deponent I will not be caught unless you tell on me and said defendant walked away.

Deponent says that about the hour of six o'clock on her husband's return ~~she~~ she informed her husband of what said defendant had done and her husband replied that he would make a complaint to the Captain about said defendant.

Deponent says that she was confined to her bed from nervousness and sore from the rough treatment of said defendant and that her privates was sore and lacerated and that said defendant caused deponent's courses to come on two weeks previous to her time.

Wherefore deponent charges said defendant with violently forcibly and feloniously making an assault on her and did then and there ravish and carnally know

Brought before me *Maggie Jeffers*
This 8th day of Nov 1886
James C. Kelly Police Justice

POOR QUALITY
ORIGINAL

0054

Police Court, 5 District.

City and County } ss.
of New York,

William J. Alexander
of St. Nicholas Ave 9 157th Street, aged 38 years,
occupation Physician being duly sworn, deposes and says,
that on the 4th 7th day of November 1886, at the City of New
York, in the County of New York, he made an examination

of the privates of Maggie Jeffers on the
and within named Complainant and
found evidence of displacement
of the vomb and tenderness in the
roof of the vagina and
also on pressure over the abdomen

Sworn to before me W. J. Alexander M. D.
This 8th day of Nov 1886
Sam'l C. Kelly Police Justice

POOR QUALITY
ORIGINAL

0055

Sec. 198-200.

5

District Police Court.

CITY AND COUNTY { ss
OF NEW YORK,

Alexander D Norval 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. *Alexander D Norval*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *145 Leroy St 1 year*

Question. What is your business or profession?

Answer. *Police officer*

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*

Alexander D Norval

Taken before me this

day of

Nov

188

James J. Sullivan Police Justice.

POOR QUALITY
ORIGINAL

0056

BAILED,
No. 1, by _____
Residence _____
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

Police Court 5 District 1674

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Margaret Johnson
Robert Johnson
Alexander D. Howard

2
3
4

Offence Rape

Dated November 8 1886

Daniel O'Reilly Magistrate.

Geo. Hoffman Officer.
32d Precinct.

Witnesses William J. O'Connell

St. Nicholas Ave 157th Street.

Edmund Mc Carthy

No. 1st Washington Street.

No. _____ Street.

2008 ATTORNEYS
NOV 11 1886
TO ANSWER

Conna

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 Nov 8th 1886 Daniel O'Reilly Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

**POOR QUALITY
ORIGINAL**

00857

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Alexander D. Norval

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

Alexander D. Norval

of the CRIME OF RAPE, committed as follows:

The said *Alexander D. Norval*,

late 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-*six* — , at the City and County aforesaid,
with force and arms, in and upon one *Maggie Jefferson*,
then and there being, willfully and feloniously did make an assault, and her the said
Maggie Jefferson, then and there, by force and with
violence to her the said *Maggie Jefferson*, against her
will and without her consent, did willfully and feloniously ravish and carnally know,
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

Alexander D. Norval

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

The said *Alexander D. Norval*,

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 her
the said *Maggie Jefferson*, willfully and feloniously did
make an assault, with intent her the said *Maggie Jefferson*,
against her will, and without her consent, by force and violence, to then and there
willfully and feloniously ravish and carnally know, 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.

RANDOLPH B. MARTINE,

District Attorney.

0059

END
ROLL