

0009

BOX:

497

FOLDER:

4533

DESCRIPTION:

Baer, Benjamin

DATE:

10/20/92



4533

POOR QUALITY ORIGINAL

0010

Witnesses:

Counsel,

Filed

day of

1892

Pleas,

THE PEOPLE

vs.

PETT LARCENY.

Sections 528, 532 Penal Code.

Benjamin Swan

DR LANCEY NICOLL,

District Attorney.

Part II

Oct 31 1892

A TRUE BILL.

A. Hookwood

Part 2 - Oct. 31, 1892. Foreman.

Sworn and legitimized

POOR QUALITY ORIGINAL

00111

Police Court 2 District. Affidavit—Larceny.

City and County of New York, ss:

Amuel Peard

of No. 626 Broadway Street, aged 28 years, occupation Clothing being duly sworn,

deposes and says, that on the 12 day of October 1892 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:

Three yards black satin of the amount and value of three dollars and seventy five cents (\$3 ⁷⁵/₁₀₀)

the property of Henry Enot and in deponent's Care and Custody 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 Benjamin Baer (now here) from the following facts to wit: That deponent is informed by Carl Guttentberger of No 42 Rivington Street that on the aforesaid date between the hours of 3 and 4 o'clock P.M. he saw the defendant go behind a counter in deponent's place of business at the above mentioned address, and take hold of a piece of satin containing 25 yards, which was lying on said counter, and did then with a pair of scissors which he held in his hand, cut off the aforesaid property from said piece of satin. Deponent therefore charges the defendant with having committed a Larceny and asks that he be held and dealt with as the Law may direct.

Amuel Peard

Sworn to before me this 12 day of October 1892 at New York Police Justice.

POOR QUALITY ORIGINAL

0012

CITY AND COUNTY }
OF NEW YORK, } ss.

Carl Gellentberger

aged *43* years, occupation *Writer* of No.

42 Rivington Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of *Samuel Plead*

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

Sworn to before me, this *13* day of *June* 189*0* *Carl Gellentberger*

[Signature]
Police Justice.

Lined area for additional text or notes.

(1835)

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Benjamin Baer

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

Question. What is your name?

Answer. *Benjamin Baer*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *257 East 41 St. 9 years -*

Question. What is your business or profession?

Answer. *Printing Cutter*

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

Answer.

*I am not guilty - and
if held after examination I
demand a trial by Jury
Benjamin Baer*

Taken before me this
day of *October* 189*7*
John J. [Signature]
Police Justice.

POOR QUALITY ORIGINAL

0014

BAILIED

No. 1, by *Wm. H. Conroy*
Residence *47 Grand Street*

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence *(for no)*
(for no)
(for no)
(for no)
Street

Police Court
District

THE PEOPLE, &c.
ON THE COMPLAINT OF

Amuel Slack

Poste 181 Grand

William Baker

Offense *larceny*

Dated, *Oct 13* 189 *2*

White Magistrate

Henry E. Wade Officer

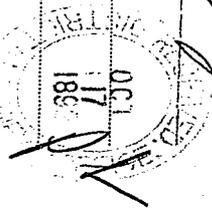
C. P. Precinct

Witnesses
Wm. H. Conroy
Wm. H. Conroy

No. *1*
No. *2*
No. *3*
No. *4*
Street

de Perry Street

John Ryan Street



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

Dated, *Oct 13* 189 *2* *White* Police Justice.

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

Dated, *Oct 16* 189 *2* *John Ryan* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

POOR QUALITY ORIGINAL

0015

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

THE PEOPLE OF THE STATE OF NEW YORK
against

Benjamin Baer

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

Benjamin Baer

of the CRIME OF PETIT LARCENY, committed as follows:

The said *Benjamin Baer*,

late of the City of New York, in the County of New York aforesaid, on the *12th*
day of *October* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms,

*three yards of satin of the
value of one dollar and twenty
five cents each yard*

of the goods, chattels and personal property of one *Max Ernst*

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.

DeLancey Nicoll
District Attorney

0016

BOX:

497

FOLDER:

4533

DESCRIPTION:

Baker, George

DATE:

10/05/92



4533

POOR QUALITY ORIGINAL

0017

Witnesses:

Owen Collins

.....
.....
.....
.....

10

Counsel,

Filed

day of

1892

Pleas,

THE PEOPLE

vs.

P

George Baker

N.D.

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. Woodward

Foreman.

Dec 11/92

James H. Stewart

POOR QUALITY ORIGINAL

0018

Police Court— 2 District.

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

of No. 212 West 110th ^{Home Retention} Street, aged 23 years,
occupation Driver being duly sworn

deposes and says, that on the 8 day of September 1892 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by George Becker (now here) who wilfully and maliciously pointed, aimed and discharged a shot from a revolving pistol loaded with powder and ball which he then and there held in his hand at deponent which said shot struck deponent in the right hand and body.

Deponent further says that such assault was committed

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

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

Sworn to before me, this 29 day }
of Sept 1892 } Owen Collins
[Signature] Police Justice.

POOR QUALITY ORIGINAL

0019

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss:

District Police Court.

George Becker

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 sees 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.

George Becker

Question. How old are you?

Answer.

20 years old

Question. Where were you born?

Answer.

New York

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

Answer.

West 109th St 1 year

Question. What is your business or profession?

Answer.

Driver

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

Answer.

I am not guilty

George Baker

Taken before me this

day of

1893

W. J. Wood
Police Justice.

POOR QUALITY ORIGINAL

0020

BAILLED,

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Police Court... 51
District.
1224

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Aren Collins
George Jackson

1 _____
2 _____
3 _____
4 _____

Offense *Assault Felony*

Dated, *Sept 29* 189 *2*

Meach
Magistrate.

Carin + West
Officer.

Mary McDonald
Precinct.

Witnesses *Edmund Collins*

No. *22* *W-110*
Street.

Mary Williams
Street.

No. *49* *W-103*
Street.

Wm. Williams
Street.

Police Station
Street.



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 _____

Aren Collins

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *Two* Hundred Dollars, _____ and be committed to the Warden and Keeper of

the City Prison of the City of New York, until he give such bail.

Dated, *Sept 29* 189 *2*

Wm. Williams
Police Justice.

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

Dated, _____ 189 _____

Police Justice.

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

Dated, _____ 189 _____

Police Justice.

POOR QUALITY ORIGINAL

0021

CITY AND COUNTY }
OF NEW YORK. } ss.

POLICE COURT, 2^d DISTRICT.

of No. 26 Red Bank Street, aged 21 years,
occupation Police Officer being duly sworn, deposes and says

that on the 19th day of March 1899
at the City of New York, in the County of New York Owen

Collins (now here) is an
important and necessary
witness against James Becker
charged with assault - getting
reports further say that he has
reason to believe that the said
Collins will not be forthcoming
when wanted, and asks that the
said Collins be ordered to find surety
for his appearance and in default
stand committed to the House of Detention
Robert O. Math

Sworn to before me this

19th day of

March

1899

at New York

City

of New York

County

of New York

City

of New York

County

of New York

City

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

George Baker

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

George Baker

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

The said

George Baker

late of the City of New York, in the County of New York aforesaid, on the eighth day of September in the year of our Lord one thousand eight hundred and ninety-two, with force and arms, at the City and County aforesaid, in and upon the body of one Owen Collins in the peace of the said People then and there being, feloniously did make an assault and to, at and against him the said Owen Collins a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said George Baker in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge with intent him the said Owen Collins thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

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

The said

George Baker

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Owen Collins in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against him the said

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

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

DE LANCEY NICOLL, District Attorney.

0023

BOX:

497

FOLDER:

4533

DESCRIPTION:

Baldischweiler, Louis

DATE:

10/31/92



4533

POOR QUALITY ORIGINAL

0024

J. Hardy

Counsel,

Filed, *31st* day of *Oct* 189*2*

Reads, *M. Mulford*

THE PEOPLE

vs.

B.

Louis Baldschwell

W. H. H. 93

VIOLATION OF THE EXCISE LAW.
Selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 33.]

DE LANCEY NICOLL.

District Attorney.

A TRUE BILL.

B. Lockwood

Foreman.

Witnesses:

Off Court

POOR QUALITY
ORIGINAL

0025

Court of General Sessions of the Peace

1997

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Louis Baldischweiler

The Grand Jury of the City and County of New York, by this indictment, accuse
of the CRIME OF Louis Baldischweiler
SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND
BEER ON SUNDAY, committed as follows:

The said Louis Baldischweiler

late of the City of New York, in the County of New York aforesaid, on the twenty-fifth
day of September — in the year of our Lord one thousand eight hundred and
ninety-two — , at the City and County aforesaid, the same being Sunday, certain strong
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

~~and~~ to certain ~~other~~ persons whose names are to the Grand Jury aforesaid unknown, against
the form of the statute in such case made and provided, and against the peace of the People of
New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Louis Baldischweiler
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,
WINES, ALE AND BEER, committed as follows:

The said Louis Baldischweiler

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of
a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and
expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the
form of the statute in such case made and provided, and against the peace of the People of the State
of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0026

BOX:

497

FOLDER:

4533

DESCRIPTION:

Barnes, Mary

DATE:

10/20/92



4533

POOR QUALITY ORIGINAL

0027

Witnesses:

Richard Jordan

Counsel,

Filed

day of

189

Pleads,

Guilty

THE PEOPLE

vs.

B
Mary Barnes

Assault in the Second Degree.
(Section 218, Penal Code.)

con. vol. 146
DE LANCEY NICOLL,

District Attorney.

Part 3, Nov. 14, 1892

tried and convicted with recon. to mercy of Gov.

A TRUE BILL.

hr 2

R. Woodward

Foreman.

Imp. Rec. Dec-9-92

POOR QUALITY ORIGINAL

0028

Police Court 2 District.

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

of No. 12 Gansvoort Street, aged 50 years,
occupation Housekeeper

deposes and says, that on the 2 day of October 1887 at the City of New York, in the County of New York,

she was violently and feloniously ASSAULTED and BEATEN by

Mary Barnes (now dead)
who struck deponent on the head with a Trencher, cutting a wound over deponent's temple, about two inches long and seriously injuring deponent's head

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

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

Sworn to before me, this 2 day of October 1887 } Bridget Jordan
of 12 Gansvoort Street }
Alfred }
Police Justice.

POOR QUALITY ORIGINAL

0029

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Mary Barnes

Question. How old are you?

Answer. 27 years

Question. Where were you born?

Answer. N. J.

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

Answer. 10 Emerson St 27 years

Question. What is your business or profession?

Answer. Housework

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
Mary Barnes

Taken before me this

day of

Sept 1888

Police Justice.

POOR QUALITY ORIGINAL

0030

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

Bernard F. Mc Cabe

of No. 9th Precinct Police Street, aged _____ years,
occupation Police Officer

that on the 2 day of October 1889

at the City of New York, in the County of New York, he arrested Mary Barnes (now here) on the charge of having committed an Assault upon the body of Bridget Jordan. Deponent further says that said Bridget is confined to her home at No 12 Ganssont Street in consequence of injuries received by said Assault, and is unable to appear in Court, deponent therefore asks that said Mary may be held to answer

Sworn to before me, this
of October

1889
day

[Signature]
Police

POOR QUALITY ORIGINAL

0031

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

Bernard F. McCabe

of No. 9th Precinct Police Street, aged _____ years,
occupation Police Officer being duly sworn deposes and says,
that on the 2 day of October 1889

at the City of New York, in the County of New York, he arrested Mary James (now here) on the charge of having committed an Assault upon the body of Bridget Jordan. Deponent further says that said Bridget is confined to her home at No 12 Gansersont Street in consequence of injuries received by said Assault, and is unable to appear in Court, deponent therefore asks that said Mary may be held to answer the result of injuries or until said Bridget can appear in Court

Bernard F. McCabe

Sworn to before me, this _____ day of _____ 1889

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0032

Police Court, 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

May Barnes

AFFIDAVIT.

Dated Oct 4 1889

White Magistrate.

Mc. Cabe Officer.

Witness, 9

Disposition,
By Oct 8/9, 30
Paula

POOR QUALITY ORIGINAL

0033

BAILIED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

John P. Farrell
1015 St. Hubert Street

Street

Street

Street

Police Court--- District

1259

THE PEOPLE, &c.
ON THE COMPLAINT OF

Primit Graham
12 Chambers
Mary Barnes

Offense *Aggravated Felony*

Dated

Sept 8

189

White
Magistrate

Mr. Calks
Officer

Witnesses *Dr. Ed. Bushong*
Precinct

No. _____

355 West 14th
Street

No. _____

Mr. Mankin
Mr. Jordan
Street

No. _____

5711
to answer *Dr. Bushong*
Street

Dr. Bushong

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

Mary Barnes

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

Dated, *Sept 8* 189 *A. J. White* Police Justice.

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

Dated, *Sept 8* 189 *A. J. White* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

POOR QUALITY
ORIGINAL

0034

355 WEST 14TH STREET,
NEW YORK.

Mrs Jordan of 12
Lanseroot was treated
by me Oct. 3d & since
for a cut over the
left temple. The cut
was about two inches
long and penetrated
the scalp to the bone.
The bone was also
cut - but in my
opinion only the
outer table of bone
is broken - I put in
two stitches closing
the cut. Pieces of broken
china were in the cut
& the woman's hair.

C. W. Bushong M.D.

Court of General Session

The People

vs

Mary Burice

City of New York:

John Rasche of No 642 Hudson Street, in said City, being duly sworn says: That he is a Chamber doing business at the above mentioned address. That he has known the defendant for the past 10 years and during that time has always acted as a quiet and peaceable person.

Subscribed and sworn to before me this 16th day of November 1872

Ferdinand Chies
Commissioner of Deeds
N.Y. City

John Rasche

Court of General Sessions

The People
vs
Mary Barnes

City & County of New York:
John Henschel of No 634
Crosby Street in said City being
Duly sworn says: That he is
engaged in the Butcher business
at the above mentioned address;
that he has known the defendant
for more years last past and
knows her during that time
to have been quiet and peaceable
person before me. John Henschel
16th St of No 634 Crosby St
Ferdinand Spies
Commissioner of Deeds
N.Y. City

Court of General Sessions

The People

Mary Barnes

City & County of New York:

George C. Woolsey of
No 20 Canal Street in said
City being duly sworn deposes
and says: That he has known
the defendant above named for
over ten years and can see
that during said period he knew
her to be a quiet and inoffensive
young woman.

From the foregoing this
I do certify on oath of the 18th day of November 1892

Ferdinand Spiess
Commissioner of Deeds
N.Y. City

Geo. C. Woolsey

Court of General Sessions

The People

vs
Mary Barnes

City and County of New York ss.

Doyle R. Throckmorton
residing at No 47 Horatio Street, in
said city, being duly sworn deposes
and says. That he is engaged in
the butter and eggs business at
No 20 Sanseroot Street, in said city
and has known the defendant for
the past ten years. That he knows
her character for peace and
quietness and that the same
is found.

Subscribed and sworn to before me
this 10th day of November 1892

Doyle R. Throckmorton

Ferdinand Spiess

Commissioner of Deeds
N.Y. City

POOR QUALITY
ORIGINAL

0039

Court of General Sessions

The People

vs

Mary Barnes

Applicant as
Defendant

J. Oliver Stone

Deputy City
23 Chambers St.
N.Y. City

POOR QUALITY ORIGINAL

0040

490

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Mary Barnes

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

Mary Barnes

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

The said

Mary Barnes

late of the City and County of New York, on the second day of October in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, in and upon one

in the peace of the said People then and there being, feloniously did wilfully and wrongfully did make an assault; and the said Bridget Jordan

Mary Barnes

with a certain pitch which she the said

Mary Barnes

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

POOR QUALITY
ORIGINAL

0041

SECOND COUNT—

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

Mary Barnes

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

The said

Mary Barnes

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, in and upon the said

Bridget Jordan

in the peace of the said People then and there being, feloniously
did wilfully and wrongfully make another assault; and the said *Mary Barnes*
the said *Bridget Jordan*
with a certain *pitched*

which *she* the said

Mary Barnes

in *her* right hand then and there had and held, in and upon the
head — of *her* the said *Bridget Jordan*
then and there feloniously did wilfully and wrongfully strike, beat, *cut,*
bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully
and wrongfully inflict grievous bodily harm upon the said *Bridget Jordan*
to the great damage of the said *Bridget Jordan*
against the form of the statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

DE LANCEY NICOLL, *District Attorney.*

0042

BOX:

497

FOLDER:

4533

DESCRIPTION:

Barnett, Abraham

DATE:

10/27/92



4533

Paul first at
No # RB

Witnesses:

Reduced to
\$1000 by Court
of District
RB

~~David Scher for
by Mrs. A. Groth
237 E. 7th~~

Barclay
Joseph R. Munster
123 Walker st.

See Enforcement
Within

749

Counsel,

Filed

Pleas,

1892

day of Dec

THE PEOPLE

vs.

Abraham B. Bennett

Part 3 magr. DE LANCEY NICOLL,

District Attorney.

Part 3 magr. 16

A TRUE BILL

[Handwritten signature]
10/21/92
District Attorney

This case is the
Open and Benjamin P.C. 67
1892. Before the Justice W.
Russell - case for young
slaves (11) for correction of
account in the 3rd of
Subsequently case in Jan'y
'93 in Part (3) of the
Court decision upon Judge
Fitz James (the Defendant
was against plaintiff on trial
and the jury returned (7) for
Conviction of Manslaughter
in the 2nd of J. The case
was thoroughly investigated
by the two jurists and
all the evidence obtained
substantive. Since that
time the Defendant who
is a father of a family has
conducted himself in a proper
manner. As has been
a shortening prison. The witness
in the case has since dropped
and there is no possibility of
his being placed upon the
again. James Russell remains
the Defendant of the District
Magr. 20th 91
District Attorney

Dec 10/92
Part 3 January 1893
Filed and duly signed
District Attorney

Paul front at
No. 4 etc
17741 6868

Reduced to
\$1000 by Consent
of Dietrich

PLS

Received by
G. J. Dietrich

207 E. 1st
Basin

John R. Hunter
333 Wacker

See Indorsement
Within

Counsel
Filed
Pleas

THE PEOPLE

vs.

Abraham Bennett

Part's name: DANCEY NICOLL

Part's name: DANCEY NICOLL

A TRUE BILL

1892

Dec 6 1912

Jan 3 1892

Dec 6 1912

Jan 3 1892

Dec 6 1912

Jan 3 1892

This case is the
case of Benjamin
1892. Before the
Court. Case for
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and the case (7)
Committee of
in the case. The
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by the 100 units
all the evidence
introduction. Since
the Fitzgerald was
is a full of a
concerns himself
party. member. has
a short history
in the case has
also there is no
has been placed
Cotton. James
the name of the
July 20 1892

Subsequently
'93 in Part (3)
sent down for
Fitzgerald the
was a case for
and the case (7)
Committee of
in the case. The
was thoroughly
by the 100 units
all the evidence
introduction. Since
the Fitzgerald was
is a full of a
concerns himself
party. member. has
a short history
in the case has
also there is no
has been placed
Cotton. James
the name of the
July 20 1892

Dec 6 1912
Jan 3 1892
Dec 6 1912
Jan 3 1892
Dec 6 1912
Jan 3 1892

Isaac Cominsky, =.

Officer Burke - 6th Precinct -
arranged to find for assistance
a citizen of the name Cominsky
and sent for 3 weeks - May or
June '92.

(3)

Character

Rev. John J. Wilds -
134 Broome St -

(2)

Thomas Pills
"The Hatfield"
48 Ridge St -

(1)

Frank E. Mitchell
"The Hatfield"
48 Ridge St -

Saw him the morning of
the crime - talked with him
then - Knew him since Feb. '92
seeing him daily - saw him
at Murphy's - and at the
Bar.

The Pro.
vs.
Abraham Barnett.

Witness.

~~John Barnett.~~

John W. W. (2334 - 2nd arr.)

Officer Conover - Met in Secret of [unclear] -

He told him that his Boss
had told him to get out
of the way - So - he had gone

to Brooklyn - Williams his
Boss (Dinner thus Dept. was in his empty)

Officer Mitchell - Met to Barnett's Res-

7th St. Sat. night Sunday
and Sunday night - could

get no trace of him -

Dr. [unclear] also admitted
to Officer that he had

known him - Dr. [unclear]

fell and left - see met
away in his slipper -

**POOR QUALITY
ORIGINAL**

0047

The Flatfield.
P. E. MITCHELL
Supt

46748. Ridge Street
NEW YORK

12/21 1897

ROBERT TOWNSEND, Esq.
32 Chambers Street,
New York City.

Dear Sir:-

I have learned since seeing you that the following men
knew the late JOHN THOMAS CLOVER for a period of about five years.

Viz: FREDERICK H. STEVENS,

Both of # 37 Centre Street, N.Y. City.

ALFRED STEVENS,

I think it would be well for you to summons both the Rev. John T.
Wilds, # 134 Broome Street, and Mr. Thomas Bills, # 48 Ridge Street.
These gentlemen knew Mr. Clover and can testify to his kind disposi-
tion and good character.

Very truly yours,

Frank E. Mitchell, SUPT.

**POOR QUALITY
ORIGINAL**

0048

Frank E. Mitchell

Frank E. Mitchell

Dec 2/92.

POOR QUALITY
ORIGINAL

0049

District Attorney's Office. 1690

Evidence of search of
officers, competent
to prove flight

Reo v Ogle

104 W. 511

Court may in discretion

Conviction is the act
of finding guilty of any
crime before a legal
tribunal

H Am & Eng Encyc. of Law
p 146

See § 902 & 911
Code Criminal Procedure

Joseph Pennington,

Mr you present at
the last trial =;

standing at No. 4 W. 100.

Mr you at
the corner Court,

Mr at you

POOR QUALITY ORIGINAL

0050

TO THE CHIEF CLERK.

Please send me the Papers in the Case of

PEOPLE

vs.

Barnett - says - Clerk
of Bayler - I was in
front of Bayler

John W

District Attorney.

TO THE CHIEF CLERK.

Please send me the Papers in the Case of

PEOPLE

vs.

William

District Attorney.

POOR QUALITY
ORIGINAL

0051

Police Department of the City of New York.

Precinct No.

New York, 189

Isaac Guminsky 59 Mott St.

April 23rd 1892

Attempted to steal a diamond
Pin valued at \$200⁰⁰

found the shirt bosom of
Nathan Cohen 130 White St.
Discharged by Judge Duffy

POOR QUALITY
ORIGINAL

0052

Rev. John J. Wilds -
134 Browne St.

Thomas Bills - Character
The Hatfield
48 Ridge St -

**POOR QUALITY
ORIGINAL**

0053

⁶⁶ THE MATFIELD, ⁹⁹

46 & 48 RIDGE STREET,

ONE BLOCK NORTH FROM GRAND ST.

NEW YORK CITY.

MODERN IMPROVEMENTS. COOL. QUIET.

THE CHEAPEST AND BEST HOUSE OF ITS KIND IN NEW YORK.

FOR GENTLEMEN ONLY. OPEN ALL NIGHT.

GUESTS CALLED AT ANY HOUR.

ROOMS { 25 TO 75 CENTS PER NIGHT.
\$1.50 TO \$3.50 PER WEEK.

F. E. MITCHELL, SUPT.

POOR QUALITY ORIGINAL

0054

Rev. Stat. Vol. 1, p. 698, § 1, 2—Laws N. Y. 1833, p. 10, § 4, 8.
Laws Rel. to the City, p. 608, § 4, 8.

(1898)

Police Court _____ District.

CITY AND COUNTY }
OF NEW YORK, } ss.

of the _____ Precinct Police, being duly sworn, deposes and says,
that on the 30 day of April 1897, at the City
of New York, in the County of New York,

Abraham Barnett

(now here) was in Baxter Street,

and that he was fighting, using profane,
indecent, insulting, and threatening language and behavior, making a noise, and
DISTURBING THE PEACE, and did then and there catch hold

and interfere with persons passing
in and along said thoroughfare

John J. Burke

Sworn to before me
day of May 1897
M. J. Justice
Police Justice.

POOR QUALITY ORIGINAL

0055

Form 68, "A."

Police Court _____ District.

THE PEOPLE, ETC.,
ON THE COMPLAINT OF

vs.
Abraham Barnett

AFFIDAVIT—Disorderly Conduct.

Dated *May 1* 189 *2*

W. H. Justice.

Officer, _____ Precinct.

Witnesses:
Bailed By
Harris Gossett

Disposition *62 Baxter st*
Fined \$ *May 2nd 1892*
\$200 Bonds, for his Good Behavior
for *One* months.
Imprisonment not to exceed *One* months.

Cmm

POOR QUALITY
ORIGINAL

0056

TO THE CHIEF CLERK.

Please send me the Papers in the Case of

PEOPLE

vs.

What he said
to Weber

Run away

Kassler here
20 minutes

District Attorney.

POOR QUALITY
ORIGINAL

0057

John J. Curran. 6" Precinct went
up to 306 E. 75th St bet 1+2 Aves
on Sunday evening Sept. 4th 1892
about 10 $\frac{1}{4}$ P.M. ... Went in Barnett's
rooms. - with Corcoran. Did not
find Barnett there. Rooms looked
if some body had left in a hurry
The clean washed clothes were
thrown on the lounge & the dishes
were unwashed on the table -
We then went to his brother's
house in 121st St near 3rd Ave
Saw his sister in law there. Then
we went back to the Station
house. This is all I did
in the case.

Dec 3/92

**POOR QUALITY
ORIGINAL**

0058

*Pro J. Burman
Statement*

Michael J. Walsh arr NY Sept
2, 1892 for Scranton Pa
1st time in NY. for
Sept 3 8:30 am betw at
cor of William St. went to
Bridge

Baxter st. betw 10 & 11
started at by Jews - Saw Barnett steps
no 4. caught down shoulders both
around front in store. Cominsky
caught by arm. Flona struck B. on
chest. Behind back both hands on head
Flona whined out he caught him
Barnett struck him on neck, raised
him - leaned him against post. died in
my arms half hour after when surgeon
came. vomited a little

X Got clothes with money of Dist Atty's office
went to Baxter street out of curiosity at Flona's
suggestion - saw how Jews act in pulling
people in. Asked me for my clothes
Sam Willis

Clower

POOR QUALITY
ORIGINAL

0050

REV. J. T. WILDS,
PASTOR,
134 BROOME ST.

THE SEVENTH PRESBYTERIAN CHURCH,
OF JESUS CHRIST,
IN
NEW YORK CITY.

My dear Mr. Nichols,

The Supoena sent me was received this morning. You must know that I, at the present, am^{too} entirely engrossed with my own duties as an active Pastor, besides the engrossing duties laid upon me by the Briggs trial, to be able with a moment's notice to appear any place.

I am sure you appreciate this and plead this way as a Pastor and as an old Whig Hall friend, that consideration be shown me and that I be excused. Mr. Mitchell, who is connected with my Church, bears this, and knows far more about Mr. Clower than I do. He is the Supt of the Hatfield and came in contact with him daily. I know nothing more than he does, and can only testify, as h:

his pastor, that he was a man of honor and good habits. That Mr. Mitchell can do just as well.

I am so engrossed that the notification is too late in reaching me. May I not have your approval to be excused.

I am yours very sincerely,

Dec. 7th, '92.

J. T. Wilds. —

POOR QUALITY ORIGINAL

0061

Rev John T. Wilds
Decr 1892

The Supreme Court was received this morn-
 ing. You must know that I, at the present, am
 entirely engrossed with my own duties as an ec-
 clesiastical pastor, besides the engineering duties
 laid upon me by the Erie Canal, to be able
 with a moment's notice to appear any place.
 I am sure you appreciate this and please this
 way as a Pastor and as an old Whig Hall friend
 that consideration be shown me and that I be
 excused. Mr. Mitchell, who is connected with my
 Church here, and knows far more about Mr.
 Glover than I do. He is the Supt of the Hall's
 and came in contact with him daily. I know nothing
 more than he does, and can only testify, as
 a pastor, that he was a man of honor and good
 will. That Mr. Mitchell can do just as well.
 I am so engrossed that the notification is
 not in reaching me. May I not have your
 reply to be excused.

I am yours very sincerely,

Dec. 1892

**POOR QUALITY
ORIGINAL**

0062

The Pro
of (Barnett)
Dis. Dec. 9th 97
[Handwritten signature]

POOR QUALITY ORIGINAL

0063

THE COURT ROOM IS IN THE FIRST STORY AND FRONTING THE PARK.

If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

1704

SUBPOENA FOR A WITNESS TO ATTEND THE COURT OF OYER AND TERMINER.

In the Name of the People of the State of New York,

To Rev. Jas J. Wells

of No. 134 Broome Street

YOU ARE COMMANDED to appear before the Court of Oyer and Terminer of the County of New York, at the County Court House in the City Hall Park, in the City of New York, on the 7th day of December 1892, at the hour of ten in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Abraham Bennett

Dated at the City of New York, the 7th day of December in the year of our Lord 1892

DE LANCEY NICOLL, District Attorney

POOR QUALITY ORIGINAL

0064

134, Broome

THE COURT ROOM IS IN THE FIRST STORY AND FRONTING THE PARK.

- If this Subpcna is disobeyed, an attachment will immediately issue.
- Bring this Subpcna with you, and give it to the Officer at the Court Room door, that your attendance may be known.

SUBPCENA FOR A WITNESS TO ATTEND THE COURT OF OYER AND TERMINER.

In the Name of the People of the State of New York

To

of No.

Street

YOU ARE COMMANDED to appear before the Court of Oyer and Terminer of the County of New York, at the County Court House in the City Hall Park, in the City of New York, on the _____ day of _____ 189__ at the hour of ten in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against _____

Dated at the City of New York, the _____ day of _____ in the year of our Lord 189__

DE LANCEY NICOLL, District Attorney

POOR QUALITY ORIGINAL

0065

JURY OUT FOR EIGHTEEN HOURS

Couldn't Reach a Verdict in the Case of Puller-in Barnett.

After staying out eighteen hours the jury in the case of Abraham Barnett, puller-in for a clothing shop, on trial for manslaughter in the killing of Printer John T. Clower in Baxter street, returned and told Judge Russell in Over and Terminer this morning that they could not agree upon a verdict. The jury returned at 10 o'clock after a night of argument. Judge Russell at first ordered them to go back for further deliberation, but Juror Braman arose and asked to be heard. He stated that the jury stood the same as they did fifteen minutes after retiring.

"I think I understand the situation," said Judge Russell. "You are discharged."

The jury stood all along eleven to one for conviction of assault in the third degree. Foreman Muller held out for acquittal till the end so they were forced to disagree. Barnett was in court with his wife and two children and heard the result with composure.

Lawyer Levy, who defended Barnett, was pretty sore over the turn affairs had taken. "You did your duty, gentlemen," he said to the jury. "I would have been glad to have secured a verdict of assault in the third degree. Foreman Muller was certainly too obstinate in holding out for acquittal."

Lawyer Levy had made a hard fight in the case with the odds against him, and a verdict for assault would practically have been a triumph for him.

"I'll convict that man of manslaughter in the second degree yet," was all Col. Townsend, who prosecuted Barnett, would say. The killing took place on Sept. 3 last when Barnett tried to pull him in. A quarrel ensued and Barnett struck Clower twice. The man fell to the pavement and was killed. Barnett was arrested and indicted for manslaughter.

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**POOR QUALITY
ORIGINAL**

0066

District Attorney's Office. 1000

Received said
nothing to Barnett.
Write -
Second saw her
Go -

POOR QUALITY
ORIGINAL

0067

Police Department of the City of New York.

Precinct No. 6

New York, 189

Saturday, April 30, 1892

8th P.M. Abraham Barnett - 30 - W - U.S. Peddler
Mr. yes. 406 E-72nd St. Div. Con. patrolman
John G. Burke - one month. M^r Mahon
Ensign is engaged at No. 7 Baxter St. clothing
store and is known as a pedler in - officer states that he
saw him attempting to force citizens into store in a
violent manner.

POOR QUALITY
ORIGINAL

0058

TO THE CHIEF CLERK.

Please send me the Papers in the Case of

PEOPLE

vs.

A. Barnett

Evidence that homicide was committed in self defense may be followed by proof of reputation of deceased for quarreling and violence but not of specific acts of violence towards

District Attorney.

3rd persons

x Abbott v Peo. 86 N.Y. 460
Peo v Lamb 27 N.Y. 360-77 } 103-N.Y. 655
Eggers v Peo 56-N.Y. 342-643 }
Peo v Thomas 67 N.Y. 218 } 1 Silvermail 182

See Carpenter v Peo.

102 N.Y. 238

D. 10. Henry Bonckert - Ex account by Current.
 Chas. H. Hartley -
 Geo. A. Nelson - Account by Current.

D. 11. Geo. W. Sibley Leicester -
~~D. 12~~ Wm. Thomas Richmond -

D. 13. David H. Wilson -
Jackson B. Stallings - Account by Current.
Erastus B. Phelps -
Marcus Bataine -
Adolph Steinhilber -
William Watts -
Samuel Kurzman -
Peter J. Amador -

P. 11,
 P. 12
 D. 14.
 P. 13
 D. 15. William Hoffmann - Ex by Current.
George Hoffman - Essex -
Wakytini Giers -
Geo. Sillemath - Delmar Geo.
Francis Bird -
John Thos. Sawron -
William Orbin;
John Orbin -

D. 16
 D. (17)
 D. (18)
 D. (19)

13 By People -
 19 By Orbin -

Edward H. Creamer - Account by Current.
James H. Green - Account by Current.
Albert C. Hyatt -
Sidney Patton -
John E. Ditz - Account by Current.

D. (20)
 P. 14.

**POOR QUALITY
ORIGINAL**

0070

Thomas J. D. Diplov. Chalcopy & Company
Horace F. Ayers,
Frank
Mr. Mc-

PATRICK CORCORAN, says:

I am an officer attached to the 6th Precinct. I am now a Precinct Detective and was on the 3rd day of September 1892. About 11.30 A.M. on that day I was informed that a ~~xxxx~~ murder had been committed in Baxter Street and started to the scene of the crime. On my way I saw some of the officers of the Precinct bringing up the dead body of a man on a stretcher. I inquired of a man named Isaac Comminsky and he informed me that the murder was committed by a man named Schuss, whom I knew to be Abraham Barnett. He told me that when Barnett ran away he had on a pair of brown slippers. I immediately went to No. 19mBaxter Street and inquired of Barnett's brother where Abe lived. I asked him where he was and he said he didn't know. I then inquired where he lived, and he said he didn't know. I asked him where he thought he might have gone to and he said to his sister's, Mrs. Saunders, house on Third Avenue near 73rd Street. I went there with him, he said he did not know the number, and Barnett was not there. I asked his sister for him and she said she had not been on good terms with him and had not seen him for over a month. I laid around there all the afternoon but found no signs of him and that night Officer John F. Mitchell and I found out where he lived. We went from house to house and ~~xxx~~ found out he lived in 75th Street near Second Avenue. I inquired of the housekeeper and he told me that Barnett, his wife and child had left around seven o'clock and did not

(2)

come back. I left Officer Mitchell there at nine o'clock and went to his brother's house in Brooklyn. This was Saturday night. I saw his brother and his brother's wife and he was not there. I staid there until twelve o'clock and was relieved by Officer Kesschau. The house is in Prospect Street.

I went to the defendat's house in 75th Street on Sunday morning and relieved Officer Michael Carrol. I staid there covering the house until one o'clock when I was relieved by Mitchell again. That evening (Sunday) Officer Curran and I went back to the defendat's house in 75th Street. When we went there we got the janitor and we went into his rooms and they were empty. The we came out and went to his brother's house in 121st Street, in Harlem, and he was not there, had not been there; then I went back to his own house.

Soon after my arrival at the Station House on Monday morning at seven o'clock I went to the cell in which Barnett, the defendat, was confined, in company with Officer Mitchell. When I went in, Barnett said "hello". He knew me a long time. I said to him, "where have you been" he says; "I left the house Saturday night and went over to Brooklyn to a tin wedding" He was helping a man to prepare for the wedding which came off Sunday night,xxx and at the wedding, he said he heard that the man was dead and was advised to give himself up and came over and gave himself up. Then I said to him, "How did this

(3)

thing happen?" and he said "That fellow was coming down the street, and I asked him to come in and buy some clothes; he pushed me out of the way, and I struck him and Sam Williams came out and told me to get out of the way" I then asked him if he worked for Williams and he said "yes" I then asked him where his brown slippers were. He said he changed them for a pair of shoes; that his own shoes were in William's shop.

Coming from the Coroner's Office on Labor Day, he told his brother, in my presence, to go around to Williams' shop and get his shoes (Barnett's shoes) .

Three months previous to this occurrence, he was arrested by Officer Burke of the 6th Precinct in front of No. 7 Baxter Street. He was then in the employ of Sol. Brodsky. He assaulted a man passing through there.

✓ EMIL A. KESSCHAU, says:

I reside at No. 102 East 123rd Street in the City of New York, and am attached to the 29th Precinct Station House. On the 3rd day of September 1892, I was attached to the 6th Precinct. I was on post on the morning of that day, running from Chambers St. to Doyne St. A young fellow came up to me and told me that there was a man sick around the corner in Baxter Street. I went up Baxter Street towards Worth on the down-town side of the way and saw a crowd of people there. I pushed them aside and saw this man Clower resting on his friend Walsh's arm and knee. He was still breathing and seemed to be vomiting. I saw some vomit on his mouth and clothes, he was pale. When I first got there I pushed the crowd aside and said "get out of the way" and said "what is the matter?" and Walsh told me that Clower had been struck" I stooped down and felt his pulse and found them beating; I opened his eyes and found his eyes glassy. I tried to converse with him but he was unconscious. I asked who struck him and got no answer. I went up ~~the~~ to the Elevated Station at Chatam Square and told the man in the office to ring a hurry call for an Ambulance. Then I went back through Worth to Baxter Street and when I returned Clower was dead. I waited for the ambulance to come and the doctor pronounced him dead. He then left. I then went up to the Station House and Sergeant Mc.Gann was at the desk and I told him what had occurred and the ~~Serggant~~ called Sergeant

(2)

Reilly, who was acting Captain and told him that there was a man killed down in Baxter Street and Sergeant Reilly ordered out the reserves and sent them down to Baxter Street. I then went down with the stretcher. When we got there we laid him on the stretcher and I assisted in bringing the body of Clower to the Station House. Sergeant Reilly gave the reserves instructions to bring in every one connected with Williams' place and they did. The brought in, Cominsky, Williams and Joe Harris. That night at twelve o'clock I relieved Officer Corcoran, who was covering the brother's house, in Prospect Street, Brooklyn. I remained there until six o'clock in the morning when I was relieved by a Brooklyn policeman. Then I came over to the Station House. Sunday was my day off and I relieved Officer Mitchell at 75th Street, Barnett's house, a little after six o'clock that evening, and I remained there until twelve o'clock, midnight, and I was in turn relieved by Officer Carrol. I did not see Barnett after that until I was with Mr. Townsend, at Worth and Baxter Streets.

When I came back on Worth Street on the 3rd of September, from the Elevated Station after giving the alarm, I met a young fellow named "Yank" and he told me that Schuss did it and not to tell anybody.

JACOB WEBER, says:

I reside at No. 2334 Second Avenue. I am a driver employed by the Edison Electric Light Company. On Saturday morning September 3rd 1892, between half past ten and eleven o'clock A.M. I was driving a load to the Clyde Line of Steamers. I think it is at the foot of Roosevelt Street. I had been to the foot of Canal Street. I drove across Canal Street to Baxter Street and down Baxter Street. When I got in Baxter Street between Worth and Park Row, right near Park Row, I saw the defendant, Barnett, have hold of Clower, the deceased, by the lapel of his coat and he was trying to pull him in the store. Clower tried to get away and put up his hands and gave Barnett a shove whereupon Barnett struck him with his clenched fist under the left ear or on the left side of the neck under the left ear. I am quite certain it was on the left side. Barnett was facing towards Park Row and Clower was facing towards Worth Street. Barnett had hold of him with one hand and Clower was trying to get away from him and he put up one hand and shoved him as if to shove him, Barnett, away when I saw Barnett strike him on the left side of the neck. I saw him stagger and pitch forward into the arms of his friend. I jumped off the truck and went over to Barnett and says to him, "I ought to hit you over the head with a rung" Barnett said "He hit me a hell of a blow in the face" and I said "You're a liar, he only ~~shoved you~~ shoved you trying to get away and you were trying to pull him in". After that I looked for Barnett

**POOR QUALITY
ORIGINAL**

0077

2

and he had disappeared. I then went on my truck and staid there a little while and a policeman came and took me around to the Station House and took my name and address. I did not testify at the Coroner's Inquest.

POOR QUALITY
ORIGINAL

0078

Boncrant

Karschauer

Weber

Pearl Bennett

Dec 1972

RICHARD F. MAGAN. I am Sergeant of the Municipal Police attached to the 6th Precinct, and was attached to that Precinct on the 3rd day of September 1892, On the 3rd day of September 1892, Officer Kasschau reported that a man had been killed at No. 4 Baxter Street. He said that it was one of the "Puller's in" that killed him. I called the reserve men that were in the station house and sent them down. Officer Kasschau brought a stretcher. In about twenty minutes or half an hour, the reserve force returned with the deceased, Clower, dead on the stretcher. Michael J. Walsh was brought in as a witness. I asked him his name &c. and the circumstances in relation to this homicide; what he knew about this man Clower. He told me that he had not known the man except that morning. I think he told me that he met him in the vicinity of the Brooklyn Bridge. He told him that he was a printer out of work, and he being a printer just from Pennsylvania, that they both took a walk across the bridge. That when they came back from the bridge, this man Clower offered his services to Walsh to show him the sights and brought him through Baxter Street. That as they were passing this street that Barnett was standing on the sidewalk, outside of No. 4. Barnett took hold of Clower, and insisted on his going to buy something, and Kuminsky took hold of Walsh; that Clower in pulling away from Barnett, Barnett struck him and knocked him down.

Kuminsky and Williams were brought in with Walsh on

**POOR QUALITY
ORIGINAL**

0080

the 3rd day of September. Williams and Kuminsky denied having seen the assault at all. —

On the morning of the 5th about half-past five, the doorman was behind the desk cleaning up, I was sitting inside in a room the door thereof being open, when this defendant Barnett with another man named Thomas Minten entered. Barnett said : "I am Barnett that is charged with killing a man in Baxter Street; I want to surrender myself." I asked him his name, age &c. and took his pedigree. I asked him "Why did you want to run away?" He says: "Sam Williams advised me to go away" He said "When I struck this man, and saw that he didn't get up, I got frightened, and Williams and Kuminsky both advised me to get out of the way. I asked him where he had been, and he said in Williamsburg. I asked him why he didn't give himself up before, and he said he didn't know the man was dead, or that he was wanted; that he was to a wedding, and he met a man there who had told him that he was charged with killing a man in New York, and asked him why he didn't go over and give himself up, and he said, when he found that he was wanted he immediately started for New York. I ordered him to be searched and locked up and sent after Detective Corcoran.

Thomas Minten said that he had met Barnett on a car and knowing him to be wanted he intended to follow him in case he didn't get off at Elizabeth Street and Canal to go to the station house, or until he met a police officer, to have him arrested.

The defendant Barnett told me that this man Clower had pushed him, and that he then struck Clower.

**POOR QUALITY
ORIGINAL**

00001

People &c.

vs.

Barnett

Officer John J. Burke, attached to the 6th Precinct,
states as follows:

^{Apr}
In May 1892, I arrested the defendant Barnett for
assaulting a man whom I don't know nor do I recollect
his name at present. Barnett was pulling a man in the
store and wanted him to buy clothes, and he would not
do so. I came up and said let go of that man, and as I
did so, the man went away. Barnett says, you have no
business to kick when the man didn't. I said I will
show you I will kick, and I arrested him. I took him to
the station House, and from there to the Tombs. He
was sent to the Island for a month by Justice McMahon.

He had hold of the man by the back of the coat
collar, pulling him in the store. The defendant is
known as a "Puller in" in Baxter Street.

**POOR QUALITY
ORIGINAL**

0082

OFFICER MICHAEL CARROLL, attached to the 6th Precinct.

On Sunday September 4, 1892 I was detailed in the neighborhood of 75th Street and 2nd Avenue to watch the house No. 306 E. 75th Street, where the defendant Barnett resided. I relieved Officer Holmes at 6:20 A.M. and remained watching the house until 9:15 when I was in turn relieved by Officer Conklin. I didn't see Barnett during the time I was there. I left at 9:50 and returned to the station house. I returned again that night at 12:10 A.M. I relieved Officer Kasschan; remained there until 6:15 on the morning of September 5th when I was relieved by Officer O'Rourke, and told to return to the Station House, as the defendant had surrendered himself.

POOR QUALITY ORIGINAL

0003

Statements

THE PEOPLE OF THE STATE OF NEW YORK

*Maguire } Statements
Baird }
 } against
Cannoll }*

Barnett

*Statements of
McAreev.*

DE LANCEY NICOLL,
DISTRICT ATTORNEY,
No. 88 CHAMBERS ST.,
NEW YORK CITY.

**POOR QUALITY
ORIGINAL**

0004

A b s t r a c t.

B. 219
2 co.

Coroners Office, N. Y. County.

In the Matter of the Inquest)
into the death :
of : Before
THOMAS C. CLOWES, (CORRECT) Hon. Ferdinand Levy,
NAME JOHN THOMAS CLOWER) and a Jury.

New York, Sept. 14th, 1892,
10.30 a. m.

APPEARANCES: Abraham Levy for prisoner; The District Attorney's
Office was represented by Mr. Bradley.

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OFFICER PATRICK CORCORAN, of the 6th Precinct, sworn,
testified as follows:-

Q By The Coroner) Tell the jury all you know with reference
to the case of Thomas C. Clowes? A. All I know he was brought
in the station-house on a stretcher, dead. I investigated the
case. The prisoner came to the station-house and gave himself
up. His name is Abraham Barnett. I am acquainted with the man
who keeps the place in Baxter Street, by the name of Williams; he
is here.

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now 29th Precinct.

OFFICER EMIL A. KASSCHAU, of the 6th Precinct, sworn testified as follows:-

By The Coroner:

I was going down Park Row, Saturday morning, September 3rd, and a boy came up and told me a man around in Baxter Street was sick, and I ran around and got through the crowd standing around this man Clowes who was lying on his friend Walsh's arm; he was still breathing, and seemed to be vomiting, and I felt his pulse and pushed back his eyes, and saw they were getting glassy, and with that I ran and called an ambulance from Chatham Square, I gave a hurry call, and when I came back he was dead.

Q What did you do and see there? A. I then tried to find out who struck him. There was a big crowd there and some excitement at the time, so when I saw he was dead I left there and went up to the station-house and got a stretcher and he was taken to the house.

Q What position was he in when you saw him? A. He was laying in front of an alley, I think No. 2 Baxter Street, laying on his back with his head resting in Walsh's arms .

Q What kind of a looking man was he so far as physical appearances are concerned? A. He didn't look to be a healthy man, he was slim and very sickly.

Q By Mr. Bradley) Did you see Barnett there at the time you first came to the scene where this man Clowes was injured? A. No.

Q Did the deceased make any statement himself at the time when you were first called to the scene of the trouble? A. No.

Q What was the appearance of the deceased at the time when you first came there -- was he bleeding? A. No; he looked as if he had been vomiting.

Q By Mr. Levy) When you got there and saw the man lying on the ground, he was lying in front of No. 2? A. Yes, sir; six or seven feet from the entrance to No. 4.

Q Take this point as No. 4, where was the man lying?

A He was lying towards Park Row, and he was lying over there.

Q That is more than six or seven feet? A. No:

Q He was lying with his feet towards No. 4? A. With his head towards No. 4, and his feet towards Park Row.

Q You say he looked like a sickly man? A. Yes, sir.

Q Pale? A. Yes, sir.

Q Cadaverous looking? A. Yes, sir.

Q Sunken face? A. Yes, sir.

Q Eyes sunken? A. They were closed.

Q He looked anything but a healthy man? A. Yes, sir.

Q You say he was foaming or vomiting at the mouth? A. Vomiting, I think.

Q As though his stomach turned against him? A. Something like that.

Q Did you see any marks on his face? A. Right here there was a mark, on the right side of his jaw.

Q It didn't go to his neck? A. No; on his face.

Q What kind of a mark? A. Red mark.

Q Would it come from falling against something? A. Yes, sir; it looked that way.

Q What time of the day did this occur, officer? A. I couldn't tell the exact time; I should say about a quarter of 11, Saturday morning.

Q You reported this at the station-house? A. Yes, sir.

Q It is customary and required by the rules that you should state the time of the occurrence? A. I got there after the man was struck.

Q How do you know he was struck? A. What Walsh told me.

Q You got there after the man was lying on the ground?

A Yes, sir.

Q Apparently unconscious? A. Yes, sir.

Q And he was not bleeding or anything of that sort? A. No.

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MICHAEL J. WALSH, sworn testified as follows:-

Q By The Coroner)

I live at the Globe Hotel, at present, the Globe Hotel lodging house, Park Row; I have been stopping there a couple of days; I have lived in New York over two weeks; I never lived in New York before; I am not a man of family. I am a printer. I knew the deceased; the first time I met him was in the morning about 8 o'clock, I met the deceased Mr. Clower, and being a stranger I wanted to find the Typographical Union Rooms, and I asked him if he was a printer, and he said he was, and we started down and arrived there ^{at 245 William - Rooms Typographical Union} and the secretary had not arrived yet, He asked me to take a walk; we went over from the Brooklyn bridge and went on Broadway, and turned towards Five Points, and he pointed out Baxter Street, and said it would be quite a curiosity to go through there and in fact that it was almost worth a man's life -- in a joking way. We went through there and the merchants tried to induce us in the place; arriving at No. 4, the prisoner caught

**POOR QUALITY
ORIGINAL**

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him by the shoulder, attempting to get him in the store to buy something, while another man had me by the arm. The deceased tried to get away, and in doing so, he struck the prisoner on the shoulder, and the prisoner struck him twice, and he pitched around towards where I was standing, and I thought he struck him in the face; he pitched forward, and the young man who had me by the arm let go and helped to assist him on the sidewalk; I leaned him against a post and took his head on my knee, and in that position he died, in a moment the policeman came around and went after the ambulance, and the surgeon when he arrived pronounced the man dead.

By Mr. Bradley

Q Please tell where it was you first met this man?

A His name was Clower; it was close to the Times Office.

Q Had you been introduced to him? A. Never before.

Q You went up and asked if he was a printer? A. Yes, sir; and he said he was.

Q And he went with you to show you the office you inquired for?

A Yes, sir.

Q You went to the bridge? A. Yes, sir.

Q And leaving there you went to Broadway? A. Yes, sir.

Q And from Broadway, you turned towards Five Points? A. Yes, sir.

Q And that is when he made this remark about Baxter Street?

A Yes, sir.

Q And said it was almost worth a man's life to go through it?

A In a joking way.

Q The two of you went through Baxter Street from Worth Street?

A It was in that direction, I don't know the name of the Street.

Q It was going east from Broadway? A. Yes, sir.

Q You went from that Street towards Park Row? A. Well, I believe so; I don't remember; we went that direction.

Q You say some merchants there tried to induce you to go in to buy goods? A. Yes, sir.

Q Is this the man, Barnett, that you saw at No. 4? A. Yes, sir.

Q You are sure? A. Oh, yes.

Q Did he put his hands on you? A. No; on Clower.

Q Up to the time when you got to No. 4 Baxter Street, had you and Clower been drinking? A. One glass of beer.

Q Was Clower intoxicated? A. No, sir; I am sure.

Q Did he speak to Barnett before Barnett put his hands on him?
A No, sir.

Q Where was it? A. In front of No. 4.

Q Tell me how he put his hands on Clower? A. When I saw him, he had him by the shoulders:

Q Did he pull him in? A. He appeared to be pulling him towards the door.

Q Did the deceased make any remonstrance? A. He said to let go; he wanted to get away; Barnett did not let go; the deceased jerked away from Barnett, and struck at him.

Q Where did he strike him? A. I think on the shoulder.

Q You saw him strike? A. Yes, sir.

Q Then it was that Barnett struck him? A. Yes, sir.

Q In the meantime somebody else held you? AL Yes, sir.

Q Do you know who it was? A. Yes, sir.

Q Do you see him here to-day? A. Yes, sir.

Q Can you identify him? A. Oh, yes. (identifies Cominsky)

Q Did he pull you in? A. No, he asked me to go in.

Q Did he pull you violently at all? A. No, he held me there a moment.

Q Then Barnett after being struck by Clower struck him twice?

A Yes, sir, I think three times, the third time when he turned towards me.

Q Do you know where he struck him the first blow? A. I couldn't say. *on side of the head*

Q Do you know where he struck him the second blow? A. About the back of the head.

Q Did you see him strike the third blow? A. Yes, sir.

Q Where? A. That is the blow I have reference to; after he turned around he struck at his face, I guess, but missed him.

Q *Yes,* You don't know whether the other blows struck him?

A No, sir.

Q Then it was he staggered? A. Yes, sir.

Q And you and Cominsky caught him? A. Yes, sir.

Q Did he fall on the ground? A. No.

Q Nothing happened to him except these blows struck by Barnett?

A That is all that I could see.

Q By Mr. Levy) During the time this occurrence took place your attention was attracted to the men that were trying to get you to buy goods? A. I was facing him, when this occurred.

Q All Barnett did was to put his hands on the man's shoulder and say he wanted him to come in a buy some goods? A. At the store.

Q And he said let go, and jerked one arm free? A. I heard him say, "Let go," and he jerked himself away. *and came from*

Q And then, without any cause, other than that, he struck Barnett

A Yes, sir.

Q And when he struck Barnett, do you know where that blow landed? A. I think he hit him in the shoulder.

Q He hit him pretty forcibly? A. Well, no.

Q With all his strength? A. I could'nt say that.

Q I want you to tell us whether he struck Barnett with a great deal of force or only tapped him? A. A I could'nt, but I presume he used as much force as he could.

Q When he struck Barnett, Barnett struck him? A. Yes, sir.

Q There was no interchange of words between them? A. No.

Q After he was struck by Barnett he started to walk away?

A No, he turned around and Barnett followed him and struck him again.

Q After he was struck, he turned around -- A. And settled down in my arms.

Q Did he have his arms raised as if he was going to strike Barnett? A. He tried to say something.

Q He was very angry? A. Yes, sir.

Q He started down there for the purpose of having a little bit of fun? A. Yes, sir; he wanted to show me the street.

Q It was said between you that you would go down there, and have some fun? A. See the street.

Q What was said? A. He said they would insist ~~xxxxxxx~~ upon our buying goods.

Q Why should he state that you were to have some fun?

A He said, "Let us go down Baxter Street and you will see something to surprise you."

Q You were approached by two or three runners, for the purpose of having you buy goods before you reached this place? A. Yes, sir.

Q When Barnett placed his hands on the man's shoulders did he make any remark to you? A. No.

Q Did you ^{think} see the man Barnett, when he put his hands on the man's shoulders for the purpose of inducing him to go in and buy something, that Barnett used any violence? A. I don't think he did.

Q Just as I would here, to my friend, and say, come in and buy something? A. Yes, sir.

Q And instead of doing anything in remonstrance he hauled off and hit Barnett? A. Yes, sir.

Q With all the strength he had? A. I could'nt say that; I suppose so.

Q This deceased was a weak man? A. Yes, sir.

Q Not strong? A. No.

Q A pale face? A. He was apparently weak.

Q Sunken cheeks? A. Yes, sir.

Q And sunken eyes? A. He was a delicate looking man.

Q He told you he had been sick? A. No, sir.

Q Do you know where he came from when you first met him?

A He came from the evening paper.

Q Do you know whether he had been drinking? A. I don't know.

Q But you took one glass? A. Yes, sir.

Q Did he walk with the gait of a man in health? A. Yes, sir; apparently, he ~~was~~ healthy too.

Q You said he was a sick man? A. Delicate looking .

Q The only blows that were struck by Barnett, were the blows that followed the blow that the dead man struck him?

A Yes, sir; that is true.

Q And after the man sank away there was no further attempt at violence? A. No.

By Mr. Bradley

Q You were here while the last witness testified, were you not?

A Yes, sir.

Q You heard him testify that the deceased was a small, apparently weak and delicate man? A. Yes, sir.

Q Do you know what size he was? A. He was not as tall as I am.

Q Was he a stout man? A. No.

Q Was he nearly as large a man as the prisoner? A. Oh, No.

Q You were asked with regard to going down to Baxter Street? And you made some reply that your object was to have some fun; was any remark made between you as to having some fun in Baxter Street? A. Those words were not used.

Q Were there any words used which would indicate that your object was to impose upon these people? A. Oh, no.

Q It was curiosity? A. Yes, sir.

Q Just as you would go to see the Brooklyn bridge? A. Yes, sir.

Q Or through Broadway? A. Yes, sir.

Q You say you met this man about 8 o'clock? A. Yes, sir.

Q At the time of this assault, what time was it? A. I really couldn't say. Well, say 10 o'clock, possibly when we got down there.

Q You heard the testimony of Officer Kasschau, who said it was about a quarter of 11? A. Yes, sir.

Q Did you see him when he came there? A. Yes, sir; I was there.

Q Did as long as three quarters of an hour elapse between the striking of the blows and the coming of the officer? A. No;

I think about 10 minutes.

Q In the several hours you drank but one glass of beer?

A Yes, sir.

Q And before this deceased struck Barnett, Barnett put both hands on the deceased and held him? A. Yes, sir.

Q And the deceased tried to get away? A. Yes, sir.

Q And got one shoulder loose and after he used the expression, "Let go," He struck the blow? A. Yes, sir; I think it was.

Q Are you certain? A. It was before he struck him he said, "Let go," and he broke loose and then struck him.

Q It was before Clower struck Barnett, that Clower said "Let go," and Barnett didn't let go? A. He got his arm loose.

By Mr. Krone:

Q Let us get down to the time when Barnett had his hands on Clower's shoulder; was anything said besides, "Let go?"

A I didn't hear anything else.

Q Would ~~xxxxx~~ you swear he didn't say anything else?

A I didn't hear anything else.

Q If he had said anything wouldn't you have heard it?

A (I was probably as far as that window away.

Q Didn't he remark, "Let go, you damn sheeney?"

A I didn't hear that.

Q Will you swear he didn't say that? A. I didn't hear it.

Q You heard everything that was said? A. I don't know that I did; I was busily engaged; a man had hold of me.

Q When Clowes got loose from Barnett, didn't he go a few steps? A. He pitched a few steps.

Q Did't he turn around? A. Yes, sir.

Q What did he say? A. He said something disparagingly.

Q You heard him speak? A. Yes, sir.

Q You don't know what it was? A. No.

Q What were the words you thought you heard or you believe he said? A. I couldn't say, not hearing what he said.

Q Did't he make some remark about "Sheeney &c?"

A I believe he did; he said something in regard to sheeney or jew.

Q He said something about a damn jew? A. He said something angry, yes, sir.

Q And then he struck Barnett? A. Oh, no; that was after he got the last blow, he made a few remarks after he got the last blow, and then turned around towards me and settled down towards the sidewalk.

(By a Juror) Q, Had you any trouble with any other people before that? A. We had been stopped.

Q Did the other party make any remarks to any people before that? A. No; he would say, "Let go."

Q They took hold of him just the same as Barnett did?

A Yes, sir.

Q Had you been drinking that morning? A. One glass of beer.

Q He said nothing to any other people after he broke away?

A Well, he --

Q Did he use the word "Jew" or "Sheeney" before? A. No.

Q Did he say he had been down there before that? A. Oh, Yes;

Yes, sir, before.

Q Did you go there with the intention of buying goods?

A No.

Q Did he say he had any trouble with these people any time prior? A. No.

Q (By Mr. Levy) There was no weapon used there? A. I did'nt see any.

Q (By The Coroner) Do you appreciate the fact that you are probably the most important witness in this case?

A Well, I suppose I am.

Q And I take it for granted that your testimony is given in a disinterested manner? A. Very much so.

Q And it is the truth in the matter? A. Yes, sir; as near as I can tell.

Q How long did this whole transaction or occurrence last, only a matter of a few minutes? A. The scuffle only lasted a few minutes.

Q Was there any angry disposition shown on the part of either man, Barnett or the man who is now dead, when they first came together? A. Yes, sir; Clower was angry because he was stopped; he was angry.

Q You think that angered him at once? A. Yes, sir.

Q And did this man Barnett come up to him in a kind of rough way; did he talk to him as if he was passing?

A I was a little ahead of him, and the man caught me first; I turned around and Barnett had Clower by the shoulders.

Q Who caught you first? A. Cominsky; he was a little behind me and Barnett tackled Clower.

Q Did he rush up to him and say something to him? Did he

act in a roughly manner? A. I could'nt say; he had him by the shoulders.

Q And saying to him to buy some goods? A. Yes, sir.

Q At any particular place? A. Yes, sir; In front of No. 4, that is what they tell me the number is.

Q That is a clothing store? A. Yes, sir.

Q And the man who is dead now, Clower, did'nt feel inclined to go in the store; A. No, sir; he did not.

Q Was any hard language used before this? A. Well, no. I did'nt hear any hard language; there was some talk but I could'nt hear what it was, and I don't think there was any hard language used.

Q You say the deceased struck the first blow? A. Yes, sir.

Q (By Mr. Levy) After the deceased struck the first blow, did he make any effort to walk away, or did he remain there?

A Well, after he struck, he had'nt more than struck before Barnett struck him back.

Q It seemed as though Barnett was trying to push him off?

A He jerked away and struck Barnett.

Q And Barnett's hands flew up, naturally, did'nt they?

A He struck at him the first thing I noticed.

Q You saw Barnett's hands go up the moment the blow was struck? A. I saw his hands go towards him; I saw him strike at him.

Q Some few seconds elapsed in the meantime? A. Yes, sir.

Q When the blows were being struck and during the time of this scuffle between the deceased and Barnett, was that man (Williams) present? A. No, he was not there when we first

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Page(s)**

**POOR QUALITY
ORIGINAL**

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came up the street.

Q Was he present when the scuffle took place? A. I did~~nt~~
see him.

Q (By Mr. Bradley) Am I to understand that as soon as Clow-
er struck the prisoner, that both the prisoner's hands went
up? A. Barnett's hands were on Clower's shoulder when
Clower struck, but he broke loose and struck Barnett; that
is the best of my recollection.

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FRANK E MITCHELL, sworn testified as follows:-

Q (By The Coroner)

I reside at 48 Ridge Street, this city; am superin-
tendent of an apartment house, where ^{Thomas C.} Mr. Clower resided, 46
& 48 Ridge Street.

Q (By Mr. Bradley)

That apartment house is known as the Hatfield. Mr.
Clower had been stopping there -- he came there first on the
13th day of February, this year; he left there on the 7th
of May and went to Rahway, New Jersey, and returned again
August 6th or 7th, I don't know which, and he stayed there
and went away on the morning on which he was killed. While
he stopped there I was very intimate with him, and knew about
his habits; he was not a drinking man; I never knew him to
take any drink, whatever; I never saw him have the appear-
ance of being drunk; he was not a quarrelsome man; I saw
him the morning of this occurrence; he was not drunk; he
left the Hatfield, I think about half past 7; and he was
not working that time, he had been idle since his return from

Rahway, with the exception of five or six days.

By Mr. Levy.

The man was about 5 feet 4, and weighed 105 pounds with his clothes on; he was a man that never was sick to my knowledge; he wore a No. 3 shoe; he was not a robust man, he was pale; he was not strong; he was weak; his cheeks were not sunken; he was a man who was not strong.

Q Were his cheeks sunken? A. I don't know what you call sunken?

Q Were his eyes sunken? A. He was a man with sunken cheeks, but not eye. I never heard him cough or complain.

Q He impressed you as if he was suffering from some bronchial disease? A. Yes, sir.

Q How often did you see him? A. Every night.

(It was stated that ~~XXXXXXXXXXXX~~ Isaac Cominsky was not held as an accessory, and might be called as a witness.)

ISAAC COMINSKY, sworn, testified as follows:-

I reside at 59 Mott Street; I am working for Sam Williams, who keeps a clothing store at 4 Baxter Street -- as clerk; I stay outside; I solicit trade, when people go by I ask them if they want to buy any clothes, and I sell also inside. I saw this occurrence on the 3rd of this month. We were sitting outside talking, and as they came along they were looking at the show, and I went over and Walsh was the first one and he was walking along and I asked him if he wanted to buy any clothes and told him how cheap he could buy, and Barnett had ahold of the other fellow, the same way, and he jerked his hand out and Barnett didn't ease away, and he put his hand on him again; as he did so, this

man turned around and punched ^{him,} and he punched him back, and Barnett was trying to push him away, and he pushed him over a little ways, and I ran over and Mr. Walsh and I grabbed him on the arm, and I hollered to Mr. Williams to come out and bring a glass of water; I thought he had a fit; and Walsh says, "It can't be the blow that done it," and we laid him up against the pole, and it was'nt two minutes till he was dead:

Q (By Mr. Krone) After Barnett got hold of him and Clower got away and punched him, what language did he use?

A The first time he said, "Let go," and said something, but I don't know whether he said anything or not.

Q What language did he use when he came back and wanted to show fight? A. He hollered, "You damn jews," that is when he wanted to show fight.

Q (By Mr. Bradley) Mr. Cominsky, will you please ^{tell} us again what your occupation is? A. I work for Mr. Williams and solicit trade and ask people to come in; I am a clerk; I sell, and if there is nothing doing I sit outside and mind the show and see that nobody steals anything; I am a salesman; Barnett was not working there at the time.

Q Has he ever been employed by Williams? A. Not to my knowledge; he was working in No. 12 Saturdays and Sundays, sometimes, in the season.

Q Were you not and was he not what are familiarly known as pullers in in Baxter Street?

Objected to as immaterial and irrelevant.

THE CORONER: Is there anything known in your trade as the puller in?

A. No, sir.

(By Mr. Bradley) How many times did Barnett strike Clower?

A When he struck him first Barnett struck him back, and this fellow kind of put up again, and he shoved him away-- this fellow that is dead.

Q They two, were walking through Baxter Street?

A Very slow.

Q Coming from Worth towards Park Row? A. Yes, sir, on the north side of the street; Barnett and myself were outside; Barnett was standing up against a pole and there was another young fellow there, Joe Harris.

Q When Walsh came up you put your hand on him and asked him if he didn't want to buy some clothes? A. I was walking along with him and didn't try to force him.

Q He didn't show any desire to go in, he kept walking along?

A Yes, sir; I explained it to him.

Q And behind was the deceased? A. Yes, sir.

Q Did Barnett put his hand upon him? A. He had his hand on the same way, and didn't try to force him.

Q Then you heard Clower say, "Let go?" A. Yes, sir.

Q But Barnett didn't let go? A. No; when he said to let go --

Q Either he did or did not? A. He let go before he struck him.

Q And after he let go Clower said, "Let go?" A. Yes, sir; he let go right away. Clower jerked his hand right out of Mr. Barnett's and used it kind of rough.

Q That is Barnett put his hand on him and he roughly pulled it away? A. Yes, sir.

Q Was it after he pulled his hand away that he said let go? A. Yes, sir.

Q Barnett again put his hand on him after he said let go? A. He made an attempt, and he struck him.

Q Then it was Clower struck him? A. Yes, sir.

Q Whereabouts did he strike him? A. In the face, and then Barnett --

Q What part of the face? A. That I don't know.

Q In the lower part or upper part? A. Upper; right here, I guess, on the left side of the jaw.

~~Q Then it was Barnett struck Clower? A. Yes, sir, he struck him on the back of the head, once.~~

Q Did you ever state to officer Corcoran, that Barnett struck Clower, twice? A. No, sir.

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DR. A . T. WESTON? sworn testified as follows:-

By The Coroner:

I remember this case, I made an autopsy on the body of the deceased, under the Coroner's direction, at the morgue; I saw the body first at the 6th Precinct Station, on Saturday September 3rd, and on the following day at 10 o'clock I made an autopsy at the morgue. The examination showed no external marks of violence. The party was of rather slight build. There seemed to be a general congestion underneath the membrane of the brain; there was a general effusion of

blood extending over all the under surface of the brain; otherwise the brain was normal. Upon further examination it was found that the first bone of the spinal column underneath the skull was broken. There was some effusion of blood about the point of the fracture, and it was due to this fracture and rupture of the blood vessels which were occasioned by the fracture that the hemorrhage took place underneath the membrane of the brain. The heart was slightly fatty. The lungs were congested; the ~~other~~ abdominal organs were normal. The cause of death was hemorrhage -- a hemorrhage into the membrane which covers the brain, due to a fracture of the first bone of the spinal column just underneath the skull. It was on the right side just at the point underneath the base of the skull. The man was from appearance about 35 years of age, rather light complexioned skin, perhaps considered pale; as I said, of light build, perhaps weighed 125 pounds, about five feet five, six or seven inches high; about in that neighborhood.

Q That is an opinion you expressed from the appearance of the body at the time you saw it? A. Yes, sir; I should'nt think he weighed over 125 or 130 at the most.

By Mr. Bradley.

Q You say the cause of death was an internal hemorrhage under the membrane of the brain which was caused by a fracture of the first vertebra or bone underneath the skull?

A Yes, sir.

Q Can you tell by what that might have been occasioned?

A I should think it was occasioned by a direct blow.

Q It was certainly by some blunt instrument? A. Yes, sir,

which would leave no mark.

Q If a person's fist would strike the back of the head, it might cause such an injury? A. Yes, sir, very probably.

Q Did you make an examination of the stomach?

A Yes, sir.

Q Can you tell from anything connected with the body whether the deceased was intoxicated? A. There was nothing to indicate that *he* was.

Q With regard to the size of the body, you were not here during the first part of the testimony of the other witnesses? A. No, sir.

Q You say you should judge he was about 5 feet 5, 6 or 7; is it not true that a corpse usually looks larger than a person does in life? A. I don't know about that.

By Mr. Levy:

Q You spoke about the deceased showing evidences of congestion of the lungs? Both lungs were congested? A. Yes, sir

Q Tell us -- tell this jury what is meant by congestion of the lungs? A. It is meant that the lungs after death contained more blood than is usual to find.

Q That is due in a great measure to a weakened condition of the lungs in life? A. No, sir.

Q Is it not often so -- even when death results from violence that the lungs are congested? A. There is what is known as post-mortem congestion, but this was not.

Q Post-mortem congestion, is the filling in of the lungs with blood after death? A. Yes, sir.

Q But in this dead person, the lungs were filled with blood

and it was not post mortem -- that is, it was before death?

A I would'nt express it that way; I should say it was the filling in of the blood at the time of death.

Q It might have filled in prior to the time of death?

A I don't think so. We cant examine the lungs of live people, only after they are dead. I should consider it took place at the time of death.

Q You spoke of the hemorrhage of the brain? A. Yes, sir.

Q And you think the one caused the condition of the other? A. I think that the congestion --

Q The same cause, causing both? A. I rather think the congestion of the lungs was due to an interference with the nerve centers at the brain.

Q The man was afflicted with fatty condition of the heart?

A Yes, sir.

Q And you ^{dont} regard a person whose heart is fatty, as being in good sound normal health? A. No, sir.

Q So a person who suffers in that way is not a healthy person? A. No, sir.

Q We may positively tell this jury that a person so afflicted is not a healthy man? A. That is true.

Q If he was found to suffer with that affliction, he was not healthy in his lifetime? A. That is true.

Q A person who suffers with a fatty degeneration of the heart is more liable to rapid death, through shock, than a person whose heart is normal? A. Yes, sir.

Q So a person being suddenly shocked suffering from fatty degeneration of the heart, any shock can cause death almost instantly? Or to put it plainer, a blow to a man whose heart

is normal -- suppose I strike a man whose heart is normal and then strike a man whose heart is in the condition of the deceased's; would the blow affect them in a different way?

A It probably would kill the man with the affected heart.

Q And would not affect the man whose heart is in right condition? A. Assuming that it produces no other injury than shock.

Q In talking of medical terms we have got to come down to matter-of-fact conditions; I want to impress the fact that this man suffering with a fatty condition of the heart was more liable to be killed instantaneously by a blow than would be a healthy person? A. I don't think so.

Q You said so? A. I said from shock.

Q I mean the shock resulting from the blow; a blow with the fist? A. It is the injury which the blow produces, and I assume in answering that there were no other injuries; I heard only a portion of the last witness's testimony.

Q It has been testified that this man received a violent *blow* with the naked fist on the back of the head; you have testified that the dead man's heart was not in a healthy normal condition; do you think the death of the man was accelerated by reason of the condition of the heart? A. I do not.

Q Will you explain why? A. Because there was a fracture of a bone which produced a rupture of certain small blood vessels, which in their turn produced a hemorrhage and a compression of the brain irrespective of his heart or any other organ of the body.

Q How long after receiving that blow, could a man live?

A But a short time.

Q Is it possible to receive a blow of the character described and have walked about and attended to his affairs and then received a lighter blow ^{which} ~~the~~ accelerated his death?

A I think the blow which produced this injury was the blow which caused death?

Q That was the true cause of death? A. The hemorrhage which resulted from the blow might occur in a very short space of time, or might require several minutes to produce sufficient compression to cause death.

Q Could that injury ^{have} been caused by a fall? A. I don't think so.

Q Suppose falling up against a railing -- suppose you were struck and your head should strike against another substance could'nt it have caused the same injury? A. It is possible that it might.

Q Was this man formed usually or abnormally? A. There was nothing abnormal.

Q Small? A. What you would call a man of slight frame.

Q Did he look like a sickly man? A. His appearance did indicate that.

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A recess was taken until 1.30 p. m.

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Met pursuant to adjournment 1.30, p. m.

JOSEPH HARRIS, sworn, testified as follows:-

By Mr. Levy.

I reside at 45 Allen Street, am a clerk; am employed by Mr. Williams, in front of whose premises this occurred, between ^{Nos.} 4 and 2 it occurred; I remember seeing the deceased and Walsh. I saw them when they got between 4 and 2; Mr. Williams was inside; Barnett was leaning on a post between No. 4 and No. 2. It was Saturday morning between 10 and 11 o'clock when these two gentlemen came through Baxter Street and reached our door, No. 4. Mr. Cominsky stopped one gentleman, and this Barnett stopped one, and got hold of the deceased and asked if he was buying. He broke away and struck him a blow in the face; Barnett returned the blow and he took it and walked off towards Walsh. The deceased walked front as much as to strike Barnett again and Barnett shoved him off and Walsh caught him and he became unconscious and I thought he had a fit, and Cominsky and Walsh got the deceased in his arms, and laid him against the post; I went to the saloon and got a piece of ice and they went for water and by the time the water was brought he was dead.

Q How long did this take? A. Five minutes.

Q Perhaps not so long? A. No.

Q Barnett was leaning against the post when these two men came along? A. Yes, sir.

Q And Williams was in his store? A. Yes, sir.

Q When did Williams first appear on the scene? A. When the deceased was lying on the sidewalk.

Q Are you sure you saw the deceased strike the first blow?

A Yes, sir.

Q Was it a strong blow? A. He used as much strength as he could.

Q ~~Did you hear any words exchanged between them?~~ A. Yes, sir, but I could'nt understand.

By Mr. Bradley:

Q You are a clerk for Mr. Williams? A. Yes, sir.

Q On the outside? A. On the inside.

Q Was Mr. Barnett working for Mr. Williams at the time of this occurrence? A. He came Friday and asked for work, and Mr. Williams came in and asked if it would be good to hire him; I told him there was no business, and he says, "If there is anything doing I might give you a job."

Q He had no right to try to induce the deceased to go into Williams' place? A. Not as I know of.

Q By Mr. Levy) There are in Baxter Street men who are known as floor men, who if they procure a customer receive a commission? A. Yes, sir.

Q And Mr. Barnett would receive a commission if he procured a customer? A. Yes, sir.

Q By Mr. Bradley) Barnett then was a floor man?

A A commission man.

Q That term is used in distinction to the term, "Puller in?" A. It is a regular man.

Q That is not the same as the ordinary puller in, who stands there regularly? A. Not at all.

Q You were there when these men came along? A. Yes, sir.

Q Did either of them speak to Barnett first? A. No, sir; one of the men there approached the deceased; Cominsky merely placed his hand that way and spoke to the other man between 4 and 2, and Walsh stopped, and while this conversation was going on the quarrel took place.

Q You saw Clower come along? A. Yes, sir.

Q And Barnett put his hand on him? A. Yes, sir.

Q He said, Let go? A. Yes, sir; and drew his arm with force --

Q Did Barnett let go when he said "Let go?" A. The deceased pulled away with force and struck Barnett in the face.

Q After he asked him to let go? A. Yes, sir; he struck Barnett as he jerked his arm from him.

Q Was Barnett injured from that blow? A. It brought him back that way, and he returned the blow.

Q Then the deceased walked away? A. Yes, sir.

Q How far? A. From 4, there is a hallway, and came back again and returned another blow to Barnett.

Q How do you know? A. Barnett shoved him off.

Q You heard the testimony of the other witnesses, this morning? A. Yes, sir.

Q Your memory was refreshed by what they said; none of the others testified to that; you think they are mistaken?

A I think they are.

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JOSEPH SEMANSKY, sworn, testified as follows:-

I reside at 57 Mott Street, my occupation is salesman.

By Mr. Krone:

I work in Baxter Street; I remember the Saturday morning this occurrence took place. These people passed our door they stopped in front of No. 4; I saw Mr. Cominsky take one gentleman, and saw Barnett take hold of another man, and had his hand on the man's shoulders, and I seen the dead man strike Barnett, and catch him here (indicating), and he made an effort and could'nt strike, and the man pushed back and came up and held his hand like this, and this gentleman over there came from the back and took Clower and walked away and this man fell like this.

Q Did you hear any conversation between them? A. I could not hear what they were saying.

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SAMUEL WILLIAMS, sworn, testified as follows:

By Mr. Levy:

I am the owner of the store No. 4 Baxter Street in front of which this occurrence took place; I know Mr. Cominsky, Mr. Harris and Mr. Barnett; I remember the date of this occurrence.

Q Did you see any blows struck or see the occurrence;

A No, sir; I was in the store.

Q When was the first your attention was called?

A When I saw the crowd.

Q Where was the deceased at the time? A. Between No. 2 and 4, lying down; that was the first time I saw him; I don't know anything about this occurrence, or the striking of the blows:-

By Mr. Bradley:

Mr. Barnett was not in my employ; he has not been in my employ for 3 or 4 years; he had called upon me shortly before the time of this trouble, seeking employment -- Friday night; I did not employ him.

Q Is there a standing rule among the store-keepers on that street that any person soliciting trade may bring in a customer and in case of a sale, get a commission? A. Yes, sir.

Q Mr. Barnett was acting in that capacity for you?

A I don't know.

Q Had he brought in anybody before that? A. About a week before.

Q Did he have any authority from you to put his hands on passers by and bring them in? A. No, sir.

Q Did you see any portion of the striking that occurred there? A. No, sir; I didn't see any blows struck.

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The Coroner then charged the jury, after which the following verdict was rendered:-

V e r d i c t:

The jury finds that THOMAS CLOWER, came to his death on September 3rd, 1892, at No: 4 Baxter Street, New York City, from a blow inflicted at the hands of ABRAHAM BARNETT.

Coroner's Office.

TESTIMONY.

Autopsy

St. Morgan, Sept 4th 1892 W. Hill.

Body that of a man of about 35 years, of rather slight build.

There are no external marks of violence. The scalp seems congested. (Slightly.)

Brain Membrane Beneath the pia mater there is a general effusion of blood, extending over most of the surface of the brain. The dura mater is normal. The Brain is normal.

The Neck The head seemed to be more movable than is usually the case and upon dissection there is found a fracture of the first cervical vertebra on the right side. There is some effusion of blood about the seat of fracture.

The Thorax The heart is slightly fatty. The right lung is intensely congested. The left lung slightly less so.

The abdomen The abdominal organs normal.

Causes of Death. Meningeal haemorrhage following fracture of first cervical vertebra, as described.

Taken before me
this 3rd day of Sept 1892
Edmund [Signature] CORONER.

POOR QUALITY
ORIGINAL

0115

Sept. 3rd 1892
Mr. Lawson
Lawson
Autopay.

POOR QUALITY
ORIGINAL

0116

TESTIMONY.

A. Weston

M. D., being duly sworn, says:

I have made an examination & autopsy of the body of
Thomas L. Coines now lying dead at
Morgue and from such examination & autopsy
and history of the case, as per testimony, I am of opinion the cause of
death is Homicide by blow of
fist on neck at 4 Baxter St
Sept. 3^d 99 - Fracture of
C. 6. Meningeal
hemorrhage.

A. Weston M. D.

Sworn to before me, 4
this

day of

Sept 1899

Fredmund Lenz

CORONER.

POOR QUALITY ORIGINAL

0717

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months	Days			
35			A.S. - Boston		Sept. 27 '92

from 6th St. S.W.
from 244 Bay St. S.W.

Massachusetts (3)
San Antonio 6th St. S.W.

[Faint handwritten notes, possibly "1030" and "1100"]

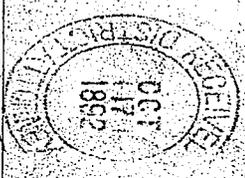
No. 1177
2nd Series

AN INQUISITION

On the VIEW of the BODY of

Thomas E. Brown
found by Mr. Howard
of Abraham Danforth

H.D.



Specimen taken on the
11th day
Sept 14 - 1892
FREDRIK LEVY, Coroner

1290

POOR QUALITY ORIGINAL

0118

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK,

Coroner 1
Russell 2
Walsh 4
F. E. Mitchell 16
Commonalty 17
W. Weston 20

AN INQUISITION

Taken at the Coroners Office

No. 7 Chambers Street, in the 6th Ward of the City of New York, in the County of New York, this 14th day of September in the year of our Lord one thousand eight hundred and ninety-two

before FERDINAND LEVY, Coroner,

of the City and County aforesaid, on view of the body of John Thomas Clower now lying dead at

Eleven 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 John Thomas Clower came to his death, do upon their Oaths and Affirmations, say: That the said John Thomas Clower came to his death by

On September 3rd 1892 at No. 4 Parter Street New York City, from a blow inflicted at the hands of Abraham Barnett

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.

John Eilers 62 West 22nd St. Andrew. T Boyd 136 East 5th
Gerrit Koenig 171 Essex St. John Hasselbrook 114 Stanton
Henry Mahlstedt 62 Forsyth St. Henry Schilling 225 E Houston St.
William Fuchslocher 110 Rivington Street Jacob Jude 170 Essex St.
John Cull 900 3rd Ave. St.
Peter Schmiedel 76 Allen St. I believe that he did not do it
John Townsend 135 Essex St. I believe that he did not do it
Ferdinand Levy
Coroner. L. S.

Junos.

- 1 Maurice D. Luitman
- 2 Arthur E. Helmrich
- 3 Conrad Steinmann
- 4 Joseph H. Lippe
- 5 John C. Caldwell
- 6 John D. Conabear
- 7 Ferdinand Hall
- 8 George W. Dillenbeck
- 9 B. Jackson Snellings
- 10 Frank Bird
- 11 Valentine Dietz
- 12 Francis McMillin

POOR QUALITY ORIGINAL

0 120

Notes of
James

Dr. P. Co.
W.
Barnett.

PATRICK CORCORAN, says:

I am an officer attached to the 6th Precinct. I am now a Precinct Detective and was on the 3rd day of September 1892. About 11.30 A.M. on that day I was informed that a ~~xxxx~~ murder had been committed in Baxter Street and started to the scene of the crime. On my way I saw some of the officers of the Precinct bringing up the dead body of a man on a stretcher. I inquired of a man named Isaac Cominsky and he informed me that the murder was committed by a man named Schluss, whom I knew to be Abraham Barnett. He told me that when Barnett ran away he had on a pair of brown slippers. I immediately went to No. 19 Baxter Street and inquired of Barnett's brother where Abe lived. I asked him where he was and he said he didn't know. I then inquired where he lived, and he said he didn't know. I asked him where he thought he might have gone to and he said to his sister's, Mrs. Saunders, house on Third Avenue near 73rd Street. I went there with him, he said he did not know the number, and Barnett was not there. I asked his sister for him and she said she had not been on good terms with him and had not seen him for over a month. I laid around there all the afternoon but found no signs of him and that night Officer John F. Mitchell and I found out where he lived. We went from house to house ~~and xxx~~ found out he lived in 75th Street near Second Avenue. I inquired of the housekeeper and he told me that Barnett, his wife and child had left around seven o'clock and did not

**POOR QUALITY
ORIGINAL**

0122

(2)

come back. I left Officer Mitchell there at nine o'clock and went to his brother's house in Brooklyn. This was Saturday night. I saw his brother and his brother's wife and he was not there. I staid there until twelve o'clock and was relieved by Officer Kesschau. The house is in Prospect Street.

I went to the defendant's house in 75th Street on Sunday morning and relieved Officer Michael Carrol. I staid there covering the house until one o'clock when I was relieved by Mitchell again. That evening (Sunday) Officer Curran and I went back to the defendant's house in 75th Street. When we went there we got the janitor and we went into his rooms and they were empty. The we came out and went to his brother's house in 121st Street, in Harlem, and he was not there, had not been there; then I went back to his own house.

Soon after my arrival at the Station House on Monday morning at seven o'clock I went to the cell in which Barnett, the defendant, was confined, in company with Officer Mitchell. When I went in, Barnett said "hello". He knew me a long time. I said to him, "where have you been" he says; "I left the house Saturday night and went over to Brooklyn to a tin wedding" He was helping a man to prepare for the wedding which came off Sunday night, xxx and at the wedding, he said he heard that the man was dead and was advised to give himself up and came over, and gave himself up. Then I said to him, "How did this

**POOR QUALITY
ORIGINAL**

0123

(3)

thing happen?" and he said "That fellow was coming down the street, and I asked him to come in and buy some clothes; he pushed me out of the way, and I struck him and Sam Williams came out and told me to get out of the way" I then asked him if he worked for Williams and he said "yes" I then asked him where his brown slippers were. He said he dragged them for a pair of shoes; that his own shoes were in William's shop.

Coming from the Coroner's Office on Labor Day, he told his brother, in my presence, to go around to Williams' shop and get his shoes (Barnett's shoes) .

Three months previous to this occurrence, he was arrested by Officer Burke of the 6th Precinct in front of No. 7 Baxter Street. He was then in the employ of Sol. Brodsky. He assaulted a man passing through there.

POOR QUALITY ORIGINAL

0124

Corcoran

The Pro.
vs.
Abraham Barnett.

List of Witnesses.

Michael J. Walsh - Home of Plaintiff.

Jacob Wilson - 2334. Second Ave.

Thomas Minton - 216, Canal St.

Emil A. Kerschman - Offic. 29th Precinct.

Patrick Corcoran - (a) 6th Precinct
Magann.

Sergeant ~~John~~ 5th Precinct

By Corner Minton -

John Burke - 6th Precinct.

Character Franz E. Mitchell, 48 Ridge.

(2) Rev. John D. Wilson - 134 Monroe St.

(3) Thomas Bills - 48 Ridge St.

Michael Carroll 6th Precinct

John F. Mitchell " " Over

**POOR QUALITY
ORIGINAL**

0126

Witness

POOR QUALITY ORIGINAL

0127

District Attorney's Office.

Pro vs.

~~Re~~

Put in Put

(3) Calendar

for 1st May

for ~~business~~

No. ~~in~~

returned

Forwarded

JACOB WEBER, says:

I reside at No. 2334 Second Avenue. I am a driver employed by the Edison Electric Light Company. On Saturday morning September 3rd 1892, between half past ten and eleven o'clock A.M. I was driving a load to the Clyde Line of Steamers. I think it is at the foot of Rosevelt Street. I had been to the foot of Canal Street. I drove across Canal Street to Baxter Street and down Baxter Street. When I got in Baxter Street between Worth and Park Row, right near Park Row, I saw the defendant, Barnett, have hold of Clower, the deceased, by the lapel of his coat and he was trying to pull him in the store. Clower tried to get away and put up his hands and gave Barnett a shove whereupon Barnett struck him with his clenched fist under the left ear or on the left side of the neck under the left ear. I am quite certain it was on the left side. Barnett was facing towards Park Row and Clower was facing towards Worth Street. Barnett had hold of him with one hand and Clower was trying to get away from him and he put up one hand and shoved him as if to shove him, Barnett, away when I saw Barnett strike him on the left side of the neck. I saw him stagger and pitch forward into the arms of his friend. I jumped off the truck and went over to Barnett and says to him, "I ought to hit you over the head with a rung" Barnett said "He hit me a hell of a blow in the face" and I said "You're a liar, he only ~~shoved you~~ shoved you trying to get away and you were trying to pull him in". After that I looked for Barnett

**POOR QUALITY
ORIGINAL**

0129

2

and he had disappeared. I then went on my truck and staid there a little while and a policeman came and took me around to the Station House and took my name and address. I did not testify at the Coroner's Inquest.

**POOR QUALITY
ORIGINAL**

0130

Weber

Faint, illegible text, possibly bleed-through from the reverse side of the page.

**POOR QUALITY
ORIGINAL**

0131

EMIL A. KESSCHAU, says:

I reside at No. 102 East 123rd Street in the City of New York, and am attached to the 29th Precinct Station House. On the 3rd day of September 1892, I was attached to the 6th Precinct. I was on post on the morning of that day, running from Chambers St. to Doyne St. A young fellow came up to me and told me that there was a man sick around the corner in Baxter Street. I went up Baxter Street towards Worth on the down-town side of the way and saw a crowd of people there. I pushed them aside and saw this man Clower resting on his friend Walsh's arm and knee. He was still breathing and seemed to be vomiting. I saw some vomit on his mouth and clothes, he was pale. When I first got there I pushed the crowd aside and said "get out of the way" and said "what is the matter?" and Walsh told me that Clower had been struck" I stooped down and felt his pulse and found them beating; I opened his eyes and found his eyes glassy. I tried to converse with him but he was unconscious. I asked who struck him and got no answer. I went up ~~the~~ to the Elevated Station at Chatam Square and told the man in the office to ring a hurry call for an Ambulance. Then I went back through Worth to Baxter Street and when I returned Clower was dead. I waited for the ambulance to come and the doctor pronounced him dead. He then left. I then went up to the Station House and Sergeant Mc.Gann was at the desk and I told him what had occurred and the Sergeant called Sergeant

Hayward

(2)

Reilly, who was acting Captain and told him that there was a man killed down in Baxter Street and Sergeant Reilly ordered out the reserves and sent them down to Baxter Street. I then went down with the stretcher. When we got there we laid him on the stretcher and I assisted in bringing the body of Clower to the Station House. Sergeant Reilly gave the reserves instructions to bring in every one connected with Williams' place and they did. They brought in, Cominsky, Williams and Joe Harris. That night at twelve o'clock I relieved Officer Corcoran, who was covering the brother's house, in Prospect Street, Brooklyn. I remained there until six o'clock in the morning when I was relieved by a Brooklyn policeman. Then I came over to the Station House. Sunday was my day off and I relieved Officer Mitchell at 75th Street, Barnett's house, a little after six o'clock that evening, and I remained there until twelve o'clock, midnight, and I was in turn relieved by Officer Carroll. I did not see Barnett after that until I was with Mr. Townsend, at Worth and Baxter Streets.

When I came back on Worth Street on the 3rd of September, from the Elevated Station after giving the alarm, I met a young fellow named "Yank" and he told me that Schuss did it and not to tell anybody.

**POOR QUALITY
ORIGINAL**

0133

Kaschau

g

Medicine

The membranes of the Brain -
are Dura Mater, Arachnoid -
and Pia Mater - The first membrane
next to skull is Dura Mater -
~~The Pia Mater next and the~~
~~arachnoid envelopes the~~
Brain -

The Dura Mater is a tough skin
When you find when you cut
through the skull - The fibrous membrane
of the Brain - Inside of that
is the Arachnoid - Which is a
sheet sack thin like a spiders
web - This is the Serous Membrane
of the Brain - This is moist -
~~and is there to prevent any injury~~
Inside of that is the Pia Mater
or Vascular Membrane - It
contains the blood vessels of the
membranes of the Brain - and it
communicates with the cerebral
arteries - Which lie in the grooves.

The first Cervical Vertebrae or Atlas.
Supports the skull and permits
it to have its nodding motion -
The second Cervical Vertebrae or
Axis - Supports the skull
Immediately beneath the atlas

the head to turn
 And permits it to have its
 free side to side
 It does this by a peculiar
 part called the odontoid process
 which projects from its upper
 surface like a long tooth from
 which it is named. And locks
 in to the atlas forming the
 pivot upon which the atlas
 and consequently the head turns -

Meningeal hemorrhage is an
 injury to blood vessels of the
 membranes of the brain or
 spinal chord. or more properly

the consequent effusion of
 blood due to such injury by
 which - an unusual pressure
 is brought to bear upon the
 delicate structure of the brain or
 spinal chord - this effusion of blood
 particularly if occurring in the
 back of neighbors of the
 axis or atlas will by its
 pressure suddenly shut off
 the communication between the
 brain and spinal chord. and
 consequently - cause death - in
 the same way as the cutting off
 of the electric wire - cuts the light of
 the circuit is broken - the water which
 the 2 electric wires is cut -

People - Banett

Dr Weston
 London

POOR QUALITY ORIGINAL

0136

(522)

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Abraham Barnett

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this

indictment, accuse *Abraham Barnett*

of the crime of *Manslaughter in the
second degree,*

committed as follows:

The said *Abraham Barnett,*

late of the City of New York, in the County of New York aforesaid, on the

third day of *December*, in the year of our Lord one thousand
eight hundred and ninety-*two*, at the City and County aforesaid,

*in and upon one John Thomas Crowe, who being
lawfully and lawfully did make an assault, and
kill the said John Thomas Crowe, with the
poison hand of him the said Abraham Barnett,*

in and upon the neck of John the said John
 Thomas Flower, then and there willfully and
 feloniously did strike, beat and wound,
 thrusting into the said John Thomas
 Flower, in and upon the neck of, John the said
 John Thomas Flower, one mortal wound and
 fracture, of which said mortal wound and
 fracture he the said John Thomas Flower
 then and there died.

And so the Grand Jury aforesaid
 do say, that the said Richard Barnett,
 John the said John Thomas Flower, in
 the manner and form, and by the means
 aforesaid, willfully and feloniously did
 kill and slay, 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.

Deane McCall,

[Signature]

0138

BOX:

497

FOLDER:

4533

DESCRIPTION:

Baum, Harry

DATE:

10/06/92



4533

POOR QUALITY ORIGINAL

0139

Witnesses:

Mary Runkles

By M. C. Culey

my
Counsel,
Filed *6* day of *Oct* 1892

Pleads,

THE PEOPLE

vs.

H
Harry Baum

Grand Larceny,
(From the Person,
Second Degree,
[Sections 828, 829,
Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. Lockwood

Foreman.

Robert J. ...
Henry J. ...

S. P. ...

POOR QUALITY ORIGINAL

0140

Police Court 2 District. Affidavit—Larceny.

City and County of New York, ss:

of No. 340 East 3rd Kate Phillips Street, aged 34 years,

occupation Married Woman being duly sworn,

deposes and says, that on the 29 day of Sept 1897 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

a pocket book containing gold and lawful money of the United States of the amount and value of six dollars and fifty two cents

the property of Deponent

and that this deponent was a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Harry Warren

now held from the fact that deponent was informed by Mary Plunkett of W. & Macy Ave. that she saw the deponent insert his hand into the pocket of deponent's dress worn on the person of deponent and abstract the aforesaid pocket book containing said money from deponent's dress pocket. Said Mary Plunkett Cunghy holds said deponent and took said pocket book from deponent which deponent subsequently identified said pocket book containing said money as her property.

Kate Phillips

Sworn to before me this 30th day of Sept 1897
of Kate Phillips
Police Justice.

POOR QUALITY ORIGINAL

0141

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

Mary Plunkett
aged 30 years, occupation Chorus of No. 14 St + 6th St Street, being duly sworn, deposes and

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

Sworn to before me, this 30 day of Sept 1897

Mary Plunkett

[Signature]
Police Justice.

[Lined area for additional text or notes]

POOR QUALITY ORIGINAL

0142

(1885)

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Harry Pittman 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.

Harry Pittman

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

New York

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

Answer.

40 Clark St Chicago 4 years

Question. What is your business or profession?

Answer.

Cloak Operator

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
Harry Pittman*

Taken before me this
day of *Sept* 189*2*

Police Justice.

POOR QUALITY ORIGINAL

0143

BAILED,
 No. 1, by _____
 Residence _____ Street _____
 No. 2, by _____
 Residence _____ Street _____
 No. 3, by _____
 Residence _____ Street _____
 No. 4, by _____
 Residence _____ Street _____
 No. 5, by _____
 Residence _____ Street _____

Police Court... District...

1933

THE PEOPLE, &c.,
BY THE COMPLAINANT OR

Will Phillips
800 E 138th

Henry Williams
James Reason

Dated, _____ 189

Magistrate
Alvin St. Paul

Witnesses
Mary Glumbelt
Alvany 14 St. 16 St.

No. _____ Street _____

No. _____ Street _____

\$ 1000 to answer

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 Deputant

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 1000 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, April 14 189 James Reason Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

POOR QUALITY ORIGINAL

0144

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

THE PEOPLE OF THE STATE OF NEW YORK
against
Harry Baum

The Grand Jury of the City and County of New York, by this indictment, accuse
Harry Baum
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said *Harry Baum*

late of the City of New York, in the County of New York aforesaid, on the *29th*
day of *September* in the year of our Lord one thousand eight hundred and
ninety-two, in the *day* time of the said day, at the City and County aforesaid,
with force and arms,

*the sum of six dollars and
fifty two cents in money, lawful
money of the United States of
America, and of the value of
six dollars and fifty two cents and
one pocketbook of the value of
twenty-five cents,*

of the goods, chattels and personal property of one *Kate Phillips*
on the person of the said *Kate Phillip*
then and there being found, from the person of the said *Kate Phillips*
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.

*Wm Lancy McCall,
District Attorney*

0145

BOX:

497

FOLDER:

4533

DESCRIPTION:

Beaver, Fremont

DATE:

10/05/92



4533

POOR QUALITY ORIGINAL

0146

Witnesses:

Annie Beatty
Jm Driscoll

Counsel,

5 Filed,

day of

8 Oct 1892

Pleads,

Wm. M. ...

THE PEOPLE

vs.

BIGAMY
Section 298, Penal Code.)

2

Stremont Beaver

DE LANCEY NICOLL,

District Attorney.

De Lancey Nicoll
Henry Gault

A TRUE BILL.

B. Lockwood

Tormentor

S. P. 2 1/2 yrs.

POOR QUALITY ORIGINAL

0147

Police Court, 2 District.

City and County } ss.
of New York,

of No. 131 1/2 New Washington Place, Annice Beaver Street, aged 30 years,

occupation Married Woman being duly sworn, deposes and says,
that on the 28 day of September 1892, at the City of New
York, in the County of New York,

Freeman Beaver now here did feloniously marry and take himself a wife she well knowing at the time that defendant's Miss lawful wife was living in violation of Section 298 of the Penal Code of the State of New York Defendant further says she is informed by her brother Thomas Tracy of No 7 Cornelia Street that he procured the Married Certificate setting forth the fact that the defendant and she married in the city of New York at St. Roses Church Madison Street by the Rev E J McGinley to Man Driscoll on August 1st 1892 said Certificate hereto annexed and signed by Thos McLaughlin and Defendant further says that she is informed by William Driscoll of No 143 Madison Street that he was a witness to the marriage of his sister to the defendant in August 1st 1892 at St. Roses Church by the Rev E J McGinley

Sworn to before me

this 29th day of Sept 1892 Annice Beaver

John Ryan Police Justice

POOR QUALITY ORIGINAL

0148

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

aged 27 years, occupation Bar tender of No. 7 Comelia Street, being duly sworn, deposes and

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

Sworn to before me, this 29 day of Sept 1890 Thomas Tooy

[Signature]
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

aged 18 years, occupation Book Binder of No. 143 Madison Street, being duly sworn, deposes and

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

Sworn to before me, this 29 day of Sept 1890 Thomas J. Orscoff

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0149

(1835)

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK

George Beaver

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. *George Beaver*

Question. How old are you?

Answer. *34 years*

Question. Where were you born?

Answer. *US*

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

Answer. *143 Madison St*

Question. What is your business or profession?

Answer. *Shuck Beer*

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*

G. Beaver

Taken before me this *29*
day of *Sept* 189*2*
John J. Curran
Police Justice

POOR QUALITY ORIGINAL

0150

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

Police Court... 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Curie Weaver
 of 312 1/2 W. 12th St.
 Newark, N.J.

Offense: Bigamy

Dated: April 27th 1892

Magistrate: J. J. Kelly

Officer: C. J. ...

Witness: Thomas Gray

No. 1, by: Thomas Gray Street

No. 2, by: John ... Street

No. 3, by: ... Street

No. 4, by: ... Street

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 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: September 1892 John Ryan Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice,

POOR QUALITY
ORIGINAL

0151

St. Rose's Church,

Residence, 40 Cannon Street

New York, Sep. 28th 1892

It appears from the Records of
the Church, that George Beavers
and Mary Driscoll were married
on Aug. 1st 1892, Rev. E. J. McKinley
officiating - William J. Driscoll and
Elizabeth Conklin witnesses -

Thos. H. McDonough
Pastor

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Fremont Beaver

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

Fremont Beaver

of the CRIME OF BIGAMY, committed as follows:

The said Fremont Beaver,

late of the City of New York, in the County of New York aforesaid, on the twenty fourth day of November, in the year of our Lord one thousand eight hundred and eighty one, at the City and County aforesaid,

did marry one Annie Tracy, and her the said Annie Tracy, did then and there have for

his wife; and the said Fremont Beaver,

afterwards, to wit: on the first day of August, in the year of our Lord one thousand eight hundred and ninety two, at the City and County

of New York aforesaid, did feloniously marry and take as his wife one Mary Dinsell,

and to the said Mary Dinsell was then and there married, the said Annie Tracy being then living and in full life,

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

DE LANCEY NICOLL, District Attorney.

0 153

BOX:

497

FOLDER:

4533

DESCRIPTION:

Becker, William

DATE:

10/19/92



4533

POOR QUALITY ORIGINAL

0154

Witnesses:

Off Place

Counsel,

Filed, 19

Pleads,

day of

1892

THE PEOPLE

vs.

B B

William Becker

*Comptroller and the Court
of Special Sessions,*

James J. [Signature]

VIOLATION OF THE EXCISE LAW.
Selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32].

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

B. Jackson

Foreman.

**POOR QUALITY
ORIGINAL**

0155

1997

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William Becker

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

of the CRIME OF *William Becker* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

William Becker

late of the City of New York, in the County of New York aforesaid, on the *sixteenth* day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

~~and~~ to certain ~~other~~ persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

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

of the CRIME OF *William Becker* OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

William Becker

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose names are to the *Charles W. Place* Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0 156

BOX:
497

FOLDER:
4533

DESCRIPTION:

Beckmann, Rudolph

DATE:
10/27/92



4533

POOR QUALITY ORIGINAL

0157

Witnesses:

See for appra

also

~~*Henry Taylor*~~

Mr Taylor

St Annis Hill

to

See / Conclusions

B

Counsel,

Filed

189

Pleads,

THE PEOPLE

vs

Randolph Beckman

Grand Larceny, (Sections 528, 529, Penal Code.)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

B. Woodward

Foreman.

Par. 3. Nov 22/92

Pleas Guilty. 9. 2. 2. 1892

Wm. R. 27/93

POOR QUALITY ORIGINAL

0158

(1885)

Police Court—Fourth District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 58 East 11th Street, aged 19 years,
occupation Elevator Boy being duly sworn,
deposes and says, that on the 14 day of October 1892 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 evening time, the following property, viz:

A quantity of clothing
of the value of about thirty
five dollars — (\$35.00)

the property of deponent and Martin Graydon
and all in deponent's custody

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 Rudolph Beckman (nowhere)
for the reason that said deponent
occupied the same room with
deponent in premises N^o 58 East
11th Street and said property was
in said room and on aforesaid
day deponent missed said
property and deponent found
part of said property in
deponent's possession.

George Leonard

Sworn to before me, this
of October 1892 day
Charles W. Fenwick
Police Justice.

POOR QUALITY ORIGINAL

0159

1903

POLICE COURT 4 DISTRICT.

City and County of New York, ss.

THE PEOPLE

vs.

On Complaint of

George Leonard

For

Larceny

Rudolph Beckman

After being informed of my rights under the law, I hereby waive a trial by Jury on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated Oct 15 1892

R Beckman

Charles N Laintas Police Justice.

Lined area for additional text or notes.

POOR QUALITY ORIGINAL

0160

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Rudolph Beckman 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 sees 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. *Rudolph Beckman*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *England*

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

Answer. *At home at present*

Question. What is your business or profession?

Answer. *None - boy*

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 did not mean to keep the clothes. R. Beckman.*

Taken before me this *15* day of *September* 189*4*.
Charles W. Danforth
Police Justice.

POOR QUALITY ORIGINAL

0161

1050 for 5x
Mackay Oct 17/92. 2AM

161
Police Court... District

BAILIED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George Leonard
58 E 11th St.

Randolph Robinson

Offence Larceny

Dated

Oct 15 1892

Residence

Tombs

Officer

Conroy

Witnesses

Franklin Conroy

No. 58 East 11th

Street

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

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

Dated Oct 15 1889 Charles N. Linton Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Rudolph Beckmann

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

Rudolph Beckmann

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

The said *Rudolph Beckmann*

late of the City of New York, in the County of New York aforesaid, on the *14th* day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

divers articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of thirty-five dollars

of the goods, chattels and personal property of one *George Leonard*

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.

SECOND COUNT—

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

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

The said

Rudolph Beckmann

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,

divers articles of clothing and wearing apparel; of a number and description to the Grand Jury aforesaid unknown, of the value of thirty-five dollars

of the goods, chattels and personal property of one

George Leonard

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

George Leonard

unlawfully and unjustly did feloniously receive and have; the said

Rudolph Beckmann

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

DE LANCEY NICOLL,

District Attorney.

0 164

BOX:

497

FOLDER:

4533

DESCRIPTION:

Benecke, Herman H

DATE:

10/20/92



4533

POOR QUALITY ORIGINAL

0165

159
Counsel *J.B.*
Filed, *1897*
Pleads, *Not Guilty (Aug 7/93)*

THE PEOPLE
vs. *R*
39
315
315
Herrington H. Bence
Aug 12/93
Oct 13

James LARONEY (attorney)
(Sections 528 and 530 of the Penal Code.)
DE LANCEY NICOLL,
District Attorney.
Part I. Sept 29. 93 U. Ind.

A TRUE BILL.
S. J. ...
H. ...
Foreman.
Aug 9/93
Pleaded Guilty S.V. 11/1/93
11

Witnesses:
W.D. ...
Subpoena ...
Temp ...

6930-
Com ...
92 ...
Oct 12/93
13 checks
from \$200 to ...
Cashed by
New ...
Pearl ...
H. ...

POOR QUALITY ORIGINAL

0155

159
Bk Oct 20

Counsel J.B.

1897

Filed, day of Oct

Pleads, Not Guilty (Aug 7/93)

THE PEOPLE

39 vs. R
315 E. 58th St
New York

Herman H. Benckel
com. Aug 12/93

DE LANCEY NICOLL,

District Attorney.

Part I. Sept 29, '93 N.Y.C.S.

A TRUE BILL.

Wm. J. ...
A. J. ...

Toreman.

Aug 9/93
Pleads Guilty S.V. 11/1/93

11

Witnesses:

Supervisor of ...
Hempstead ...

69-20-
Commenced ...
92-1-17
Oct 12/93

13 checks
from ...
Cash ...
New ...
Pendant ...
Hempstead ...

I
New York Aug 8/93

Honorable Judge Fitzgerald
Dear Sir

Not being able to
speak fluently English
in the Court, I take
this course of making
the following statement.

I plead guilty to
the charge of grand larceny
in the 2nd degree and
trust, Your Honor will
be leniently to me after
considering the following
facts:

I This is my first offense,
I never have been in
prison before.

II I returned voluntarily
to New York.

III I led to support a

II
family of a wife & five children on \$15 - a week & then I had sickness in the family & one of my sons died in Sept last. -

I was with several shows in New York, working to become conversant with the different lines of business & enclosed testimonials; besides these I can refer to

Meckel's Water St. -

I never did anything wrong before I was with H. H. Salomon & Co. but here I saw that a third silent partner E. M. Salomon who was to retire from the firm, got defrauded of some money which rightly belonged to him.

III
Mr. Brandt, one of the partners compelled me to make some entry in the books & said it was very likely that an expert bookkeeper representing the interests of the retiring partner would call & that had he looked out that nothing was discovered. -

I never forged any checks as the newspapers say, but endorsed with my own name & gave it to the third person, not receiving all the money for it, but since I can prove nothing I have to take everything upon my own shoulders. -

It seems strange that Mr. Brandt did not see anything when he saw

4. me taking a check out of
my pocket & putting it
back again. He acknowledged
this fact, when he called
upon me in the Tombs.
All I wish for now to
receive my sentence
right away, preferring
to go to prison right
off instead of being
brought down handcuffed
to the court again, and
seeing hundreds of eyes
fixed upon me.
If your Honor will
kindly consider that
I have a family of wife
& 4 children (1706. II and)
without any means I
trust your Honor will
make the sentence
light & not send me
to the state prison

POOR QUALITY
ORIGINAL

0170

New York Aug 8/73

Dear father

Mamma + Aunt
Dodenhoff saw Howe + Hummel
yesterday + they are willing to
defend you for \$100.⁰⁰

We have already got
\$50⁰⁰ and mamma wants you
to write to Pop + Schact, so that
we can go to see them to morrow

Please have the letters
ready for us at 11 a. m.

tomorrow, I remain

With best regards from all

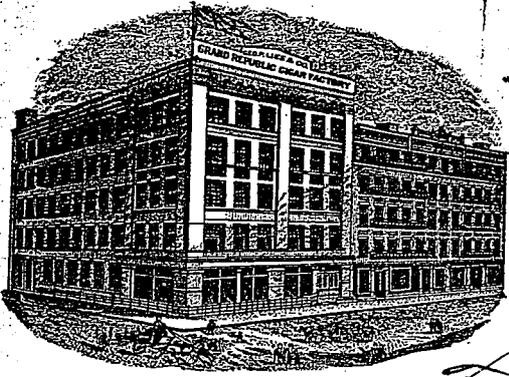
Your aff son

Herman

We are now at 1706 - 2 Ave
H. B.

**POOR QUALITY
ORIGINAL**

0171



LA FLOR DE G.P.L. & CO. FACTORY
HAVANA, CUBA

GRAND REPUBLIC FACTORY,
NEW YORK

OFFICE OF
GEORGE P. LIES & CO.

AVENUE A AND 30TH ST.

New York, 19 Sept 1891
To Whom it may concern!

This is to certify that Mr
Herman Benecke works with us
from October 3rd 1890 to September 19th
1891 in the capacity as Bank Super-
visor that he performed his duty faithfully
and that we recommend him
as to integrity & honesty

Geo. P. Lies & Co.

POOR QUALITY
ORIGINAL

0172

E. MYERS & CO.,
436 & 438 PRODUCE EXCHANGE.
Address for Cables:
LUCREZIA, NEW YORK.

New York, July 14th 1890

Mr Herman Purccke
has been in our employ
as Book Keeper for about
six months, and being
about to leave we cheer-
fully say that we believe
him to be thoroughly
honest and we have
found him very quick
and capable

Respectfully
E. Myers & Co.

**POOR QUALITY
ORIGINAL**

0173

FACTORIES:
EASTPORT, LUBEC, LUBEC MILLS,
MILLBRIDGE, JONESPORT, ST. ANDREWS,
CHERRYFIELD, BETHEL,
MACHIASPORT, EAST LAMOINE, WEST PEMBROOK,
EAST MACHIAS, SOUTH WEST HARBOR,
ROBBINSON, SEDGWICK,
NEW YORK.

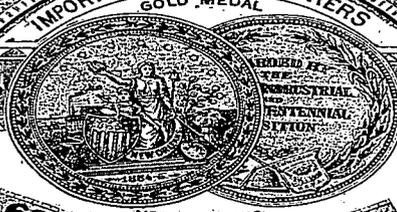
PRIDE OF MAINE AND PLEASANT VALLEY BRANDS.
SUGAR CORN, SUCCOTASH AND LIMA BEANS,
IMPERIAL BRAND, BLUEBERRIES,
LOBSTERS, MACKERELS, OIL SARDINES,
MUSTARD, MARINEE & TOMATO SARDINES.



LONDON.

PACKERS OF

WOLFF & REESSING
IMPORTERS & MANUFACTURERS
GOLD MEDAL



CANNED GOODS



DENMARK.

NEW ORLEANS.
62 & 64 FRONT ST.

New York, November 1st 1887

To whom it may concern.

The bearer, Mr. Herman Benecke, has been in our employ as assistant-book-keeper and general office-clerk for the past three years and we have always found him honest, trustworthy, willing and capable to perform the duties allotted to him and therefore heartily recommend him to anybody desiring his services.

Very respectfully,

Wolff & Reessing

5.

because there was never
a charge against me
before.

Very respectfully
Herbert B. Penick

P.S. I received the
enclosed letter from my
son just now but
I prefer to plead guilty
& leave that little money
that succeeded to raise
with my family to
keep them from starving.

POOR QUALITY
ORIGINAL

0175

No. 1179

New York, Oct 8th 1892

 MARKET  FULTON NATIONAL BANK

Pay to the order of Hamilton H. Salmon
Eight hundred ^{no} seven Dollars

\$ 800 ⁰⁰/₁₀₀



WILBUR & HASTINGS, LITH. NO FULTON ST. N.Y.

POOR QUALITY ORIGINAL

0176

Wm. W. Leland
H. H. Plimley
Wm. Engelmann

45
OCT 11 1892

POOR QUALITY ORIGINAL

0177

Police Court 1st District.

Affidavit—Larceny.

City and County of New York, ss:

of No. 119 Stuyvesant Street, aged 33 years, occupation Sanitary being duly sworn,

deposes and says, that on the 8th day of October 1892 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 of the amount and value of eight hundred dollars \$800⁰⁰/₁₀₀

the property of Hamilton H. Salmon and company and in the care and custody 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 Herman H. Benecke

for the reasons following to wit: on the said date this deponent who was in the employ of deponent as book-keeper received the said check which check was to be deposited in deponent's bank for his deponent's account. The said deponent failed to deposit said check and deponent is informed by William Coughlin that he Coughlin received the said check from the deponent and gave him eight hundred dollars for the same.

R. Grandt

Sworn to before me this 8th day of October 1892
Police Justice

POOR QUALITY ORIGINAL

0178

CITY AND COUNTY OF NEW YORK, } ss.

aged 39 years, occupation Restaurateur of No. 114 Pearl Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Richard Brandt

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

Sworn to before me this 15 day of October 1892 } Wm. Engelman

John Ryan
Police Justice.

Lined area for additional text or notes.

POOR QUALITY ORIGINAL

0179

Spencer H. G. Newhall
71 Broadway

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

Police Court---

District

1294
1894

THE PEOPLE, &c.,
OF THE COMPLAINERS OF

Richard Brault
vs
Edward F. Benecke

Offense
Grand Larceny

Date: Dec 18 1892

Magistrate
John J. [Signature]

Officer

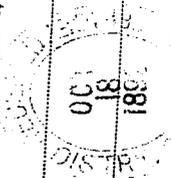
Precinct

Witnesses

No. 114 Pearl St
No. [Signature] & [Signature]

No. 410 Street

No. 381 Street
No. 31 Street
to answer



Handwritten notes: "Grand Jury", "also list of names", "1 + [Signature]", "2 + [Signature]"

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

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

POOR QUALITY ORIGINAL

0180

1768

I, JOHN F. CARROLL, Clerk of the Court of General Sessions of the Peace, and Clerk of the Court of Oyer and Terminer held in and for the City and County of New York (each being a Court of Record and having a Common Seal), do hereby certify that the annexed is a copy of

An Indictment

now on file in the Clerk's Office, and that the same has been compared by me with the original, and is a correct transcript therefrom and of the whole of such original.

GIVEN UNDER my hand and attested by the seal of the said Court this *Twenty eighth* day of *July* in the year of our Lord one thousand eight hundred and ninety *three*

John F. Carroll

3d Vol. R. S. 5t. 74, p. 687.

**POOR QUALITY
ORIGINAL**

0181

COUNTY OF NEW YORK, ss.:

1427

In the Name of the People of the State of New York, To any Sheriff, Constable,
Marshal or Policeman in this State, GREETING:

An indictment having been found on the 20th day of October

1892, in the Court of General Sessions of the Peace of the County of

New York, charging Herman H. Benecke

with the crime of Grand Larceny in the second degree

You are therefore Commanded forthwith to arrest the above named Herman H. Benecke
and bring him before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the
City Prison of the City of New York.

City of New York, the 20th day of October 1892

By order of the Court,

John F. Carroll

Clerk of Court.

**POOR QUALITY
ORIGINAL**

0182

New York General Sessions of the Peace.

THE PEOPLE
OF THE STATE OF NEW YORK,
against

Herman G. Bencke

BENCH WARRANT FOR FELONY.

Issued *Oct. 20th* 1892

The officer executing this process will
make his return to the Court forthwith.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Herman H. Bencke

The Grand Jury of the City and County of New York, by this indictment, accuse
of the CRIME OF *Herman H. Bencke*
Grand LARCENY, in the first degree committed
as follows:

The said *Herman H. Bencke*

late of the City of New York, in the County of New York aforesaid, on the *eight*
day of *October* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, being then and there the *clerk*
and servant of *Hamilton H. Salmon* and
Richard Brandt, copartners,

and as such *clerk and servant* then and there having in his
possession, custody and control certain goods, chattels and personal property of the said

Hamilton H. Salmon and *Richard Brandt*
the true owner thereof, to wit:

the sum of eight hundred
dollars in money, lawful money of the United
States of America, and of the value of
eight hundred dollars, and one written instrument
and evidence of debt, to wit: an order for the
payment of money of the kind called bank cheques,
for the payment of, and of the value of eight
hundred dollars.

the said *Herman H. Bencke* afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,

did feloniously appropriate the said *goods, chattels and*
personal property

to his own use, with intent to deprive and defraud the said *Hamilton H.*
Salmon and *Richard Brandt*
of the same, and of the use and benefit thereof; and the same goods, chattels and personal
property of the said *Hamilton H. Salmon* and

Richard Brandt
did then and there and thereby feloniously steal, against the form of the statute in such case
made and provided, and against the peace of the People of the State of New York and their
dignity.

DE LANCEY NICOLL,
District Attorney.

Second COUNT:—

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

Herman A Benecke

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

The said *Herman A Benecke*

late of the City of New York, in the County of New York aforesaid, on the *eightth* day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms, *the sum of eight hundred dollars in money, lawful money of the United States of America, and of the value of eight hundred dollars, and one written instrument, and indebted of debt, to wit: an order for the payment of money of the kind called bank cheques, for the payment of, and of the value of eight hundred dollars.*

of the goods, chattels and personal property of one *Samuel H Salma* and *Richard Brandt*

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.

DeLacey Mcoll
District Attorney

POOR QUALITY ORIGINAL

0185

Copy

Counsel.

Filed, *2d* day of *Oct* 189*2*

Pleads,

THE PEOPLE

vs.

F

James LARONEY, 1st Deputy
MISAPPROPRIATION,
(Sections 528 and 53 of the Penal Code)

Sherman H. Bennett
James L. Nicoll
James L. Nicoll
DE JANCEY NICOLL,
District Attorney.

A TRUE BILL.

B. Lockwood

Foreman.

W. R. Davis

Witnesses:

Gordon

POOR QUALITY ORIGINAL

0186

<p>1434</p> <p>1434</p> <p>\$1237.12</p>	<p>Wagon</p> <p>has</p> <p>the sum of \$1237.12</p> <p>Wm. L. Linnell</p> <p>Miner Chem Works</p> <p>H. C. Hansen</p> <p>Treasurer</p> <p>Oct 10 1920</p>
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POOR QUALITY ORIGINAL

0 187

Miss Kent Wark
W. M. Sprunt
W. W. Sprunt
Oct 1877

POOR QUALITY ORIGINAL

0188

District Attorney's Office,
City and County of New York.

City and County }
of New York, } ss.

of No. 135 X road Street, aged _____ years,
occupation Importer being duly sworn, deposes and says,
that on the 10th day of October 1892 at the City of New
York, in the County of New York, one Hermann Benedek

being bookkeeper in the employ of
Hamilton H. Belmont & Co a firm of
which deponent is a member did
feloniously steal a certain bank
cheque for the payment of \$ 1237.12
the property of said firm.
Sworn to before me this
10th day of October 1892 }

Wm. Lindsay
County Clerk
at New York

R. Grandt

POOR QUALITY ORIGINAL

0189

DISTRICT ATTORNEY'S OFFICE,

City and County of New York.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

Richard Brandt

vs.

A. A. Johnson

H. W. Benedict

(Sealed)

Offence *Starcum*

Dated *Aug 10* 188*3*

Witnesses,

No. Street,

No. Street,

No. Street,

POOR QUALITY
ORIGINAL

0190

District Attorney's Office,
City & County of
New York.

Sept 6th 1893

Mr. Richard Brandt.

Dear Sir,

Will you please
call at this office & bring with
you Mrs E. M. Salmon on
Friday morning, 8th Sept. at 10³⁰.

Please do not fail to bring

E. M. Salmon,

Yours truly,

Vernon M. Davis,

Will return about
Sept 15 - 1893

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Herman H. Benecke

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

Herman H. Benecke
of the CRIME OF *Grand* LARCENY, in the *first degree*, committed as follows:

The said *Herman H. Benecke*,

late of the City of New York, in the County of New York aforesaid, on the *fourth* day of *October* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, being then and there the *clerk*

and servant of *Hamilton H. Salmon and Richard Brandt, copartners, then and there doing business in and by the firm name and style of Hamilton H. Salmon and company.*

and as such *clerk and servant* then and there having in his possession, custody and control certain goods, chattels and personal property of the said

copartners,
the true owner thereof, to wit: *one written instrument and evidence of debt of the kind called bank checks, for the payment of and of the value of twelve hundred and thirty seven dollars and twelve cents.*

the said *Herman H. Benecke* afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said *bank check,*

to his own use, with intent to deprive and defraud the said *Hamilton H. Salmon and Richard Brandt* of the same, and of the use and benefit thereof; and the same goods, chattels and personal property of the said *Hamilton H. Salmon and Richard Brandt*

did then and there and thereby feloniously steal, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

POOR QUALITY ORIGINAL

0192

Witnesses:

Five horizontal dotted lines for witness signatures.

Counsel.

Filed, 10 day of August 1893

Pleads,

THE PEOPLE

vs.

P

Herman H. Benecke
(2 cases)

~~Thomas LANCEY, (MISAPPROPRIATION)~~
(Sections 528 and 580 of the Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

A. J. Cross Foreman.
pleaded guilty on another indictment

87

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Herman N. Benecke

The Grand Jury of the City and County of New York, by this indictment, accuse
Herman N. Benecke
of the CRIME OF *Grand LARCENY, in the first degree* committed
as follows:

The said *Herman N. Benecke*

late of the City of New York, in the County of New York aforesaid, on the *eighth*
day of *October* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, being then and there the *clerk*
and servant of *Hamilton N. Salmon*
and *Richard Brandt, copartners,*

and as such *clerk and servant* then and there having in his
possession, custody and control certain goods, chattels and personal property of the said

Hamilton N. Salmon and Richard Brandt
the true owners thereof, to wit:

the sum of eight hundred
dollars in money, lawful money of the
United States of America and of the value
of eight hundred dollars, and one written
instrument and evidence of debt, to wit: an
order for the payment of money of the
kind called bank cheques, for the payment of, and
of the value of eight hundred dollars:

the said *Herman N. Benecke* afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said *goods, chattels and*
personal property

to his own use, with intent to deprive and defraud the said *Hamilton N.*
Salmon and Richard Brandt
of the same, and of the use and benefit thereof; and the same *goods, chattels and personal*
property of the said *Hamilton N. Salmon and Richard Brandt.*

did then and there and thereby feloniously steal, against the form of the statute in such case
made and provided, and against the peace of the People of the State of New York and their
dignity.

~~DE LANCEY NICOLL,~~
~~District Attorney.~~

POOR QUALITY ORIGINAL

0194

Second COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said *Herman N. Benecke*

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

The said *Herman N. Benecke* late of the City of New York, in the County of New York aforesaid, on the *eight* day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

the sum of eight hundred dollars in money, lawful money of the United States of America, and of the value of eight hundred dollars, and one written instrument and evidence of debt, to wit: an order for the payment of money of the kind called bank cheques, for the payment of, and of the value of eight hundred dol-
lars

3
of the goods, chattels and personal property of one *Hamilton W. Salmon*

and Richard Brandt, copartners,

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.

Al Lancy Nicoll,
District Attorney