

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.

PETIT LARCENY.

Sections 528, 532, Penal Code.

*Benjamin B. Lacey*

DR LANCEY NICOLL,

District Attorney.

*Part II*

*Oct 31 1892*

A TRUE BILL.

*B. Lockwood*

*Sub. 2 - Oct. 31, 1892. Foreman.*

*Indict and acquitted*

POOR QUALITY  
ORIGINAL

0011

Police Court 2 District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

Samuel Heard  
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  $\frac{75}{100}$ )

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 feloni-  
ously 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 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 thereupon  
charges the defendant with having committed  
a Larceny and asks that he be held and  
dealt with as the Law may direct.

Samuel Heard

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

POOR QUALITY  
ORIGINAL

00 12

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 43 years, occupation Master 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  
day of June 1890

13

Carl Littenberger

A. J. White

Police Justice.



POOR QUALITY  
ORIGINAL

0013

(1835)

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

District Police Court.

*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. 2 years -*

Question. What is your business or profession?

Answer. *Living 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

189

Police Justice.

0014

**Police Court—District**

282  
1884

THE PEOPLE, &c.  
ON THE COMPLAINT OF

Wm. L. L. L.

Jose Maria Pals

Offense

Date, Oct 13 199 2

105  
Date \_\_\_\_\_  
Magistrate \_\_\_\_\_

Magistrate  
-Lamb & Pack  
Officer

Precinct: 210

Witnesses: *John F. Doe*  
*John F. Doe*

No. 7

Wm. A. Smith

Strook & Co.

Carl Mendelsohn

No. 42 Perry Ave Street.

4

Street.

2110 to answer

17 OCT 1887

*Dated,*.....189.....*Police Justice.*

POOR QUALITY  
ORIGINAL

0015

472

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.

*De Lancey Nicoll*  
*District Attorney*

00 16

**BOX:**

497

**FOLDER:**

4533

**DESCRIPTION:**

Baker, George

**DATE:**

10/05/92



4533

POOR QUALITY  
ORIGINAL

0017

Witnesses:

*Owen Collins*

Counsel,

Filed

day of

1892

Pleads,

THE PEOPLE

vs.

P

*George Baker*

N.D.

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*B. Woodward*

Foreman.

*Dec 11/92*

*Chas. H. Houghton*

POOR QUALITY  
ORIGINAL

0018

Police Court— District.

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

of No. 212 West 110th 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 }

Over Collins  
Police Justice.

POOR QUALITY  
ORIGINAL

00 19

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss:

District Police Court.

*George Becker* 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.

*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

*Sept 17 1893*

*W. C. 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 \_\_\_\_\_  
No. 5, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

Police Court... 51 District.

1224  
1894

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Allen Collins  
Helen Collins  
George Collins  
George Collins

1  
2  
3  
4

Offense Assault  
Felony

Dated, Sept 29 1894

Meach Magistrate.

Carroll & W. L. W. Officer.

Henry McDonald 26 Precinct.

Witness: Edmund Collins

No. 110 St. Street.

Mary Collins

No. 49 St. Street.

Allen Collins

George Collins

George Collins

George Collins

George Collins

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, Sept 29 1894 \_\_\_\_\_ 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 } ss.  
OF NEW YORK.

POLICE COURT, 2<sup>nd</sup> DISTRICT.

of No. 26 Red Bank Street, aged 27 years,  
occupation Pouch affixer being duly sworn, deposes and says  
that on the 18th 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 George Becker  
charged with assault - getting  
representative 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 B. Math

Sworn to before me this

of

1899

day

at

City of New York

County of New York

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 *eight* 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

Witnesses:

*Off Armat*

Counsel,

*258 J. Hardy*

Filed, 31<sup>st</sup> day of Dec

1892

Reads,

*M. Mulford*

THE PEOPLE

vs.

B.

*Louis Baldschwiler*

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

*May 29 93*

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

*B. Lockwood*

Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*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  
of the CRIME OF *Louis Baldischweiler* 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

Pleas,

day of

1892

THE PEOPLE

vs.

*B*

*Mary Barnes*

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

*can. ind. 1/4/92*  
DE LANCEY NICOLL,

District Attorney.

*Part 3. Nov. 14. 1892*

*Tried and convicted  
with recon. to Mary of Cal.*

A TRUE BILL.

*for 1/2*

*R. Woodward*

Foreman.

*Imp. d. 1/2  
Dec-19-92*

Police Court—2 District.

City and County { ss.:  
of New York,

of No. 12 Canrooot 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,

he was violently and feloniously ASSAULTED and BEATEN by

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

her  
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 2 day  
of October 1887

Alfred Police Justice.

Bridget Jordan  
Mank



POOR QUALITY  
ORIGINAL

0029

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

2 District Police Court.

Mary Barnes 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. Mary Barnes

Question. How old are you?

Answer. 26 years

Question. Where were you born?

Answer. N. Y.

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

Answer. 10 Emerson St 26 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

July 1888  
A. J. White

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

Police

POOR QUALITY  
ORIGINAL

0031

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

of No. 9th Precinct Police Street, aged \_\_\_\_\_ years,  
occupation Police Officer being duly sworn deposes and says,  
that on the 2 day of October 1882

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 Sanson 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 untill said Bridget  
can appear in Court

Bernard F. McCabe

Sworn to before me, this

of

188

day

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

BAILLED,  
No. 1, by James M. Macle  
Residence 1015 Hudson Street  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court---  
District.

1259

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Priscilla Graham  
12 Chambers  
Mary Barnes

Offense Against  
felony

Dated Oct 8 189

White  
Magistrate.

Mr. Calk  
Officer.

Dr. Ed. B. Bunting  
Precinct.

No. 355 Street 14th Street.

No. 101 Street 1st Street.

No. 5711 Street 1st Street.  
to answer in Priscilla

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, Oct 8 189 W. J. White Police Justice.

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

Dated, Oct 8 189 W. 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  
Lanseroort 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. H. Bushong M.D.

Court of General Sessions

The People

vs

Mary Burice

City of New York:

John Rasche of No 42  
Hudson Street, in said City, being  
duly sworn says: That he is a  
Banker 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.

Sworn to before me

this 16<sup>th</sup> day of November, 1872

Ferdinand Phis

Commissioner of Deeds

N.Y. City

John. Rasche

Court of General Sessions

The People  
vs  
Mary Barnes

City & County of New York:

John Hearn of No 634  
Orndson Street in said city being  
Dul 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 Hearn  
16<sup>th</sup> St of New York

Ferdinand Spies  
Commissioner of Deeds  
N.Y. City



Court of General Sessions

The People

Mary Barnes

City & County of New York vs:

George C. Wadley 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 say  
that during said period he knew  
her to be a quiet and inoffensive  
young woman.

Subscribed and sworn to  
this 18<sup>th</sup> day of November 1892

Ferdinand Spies

Commissioner of Deeds

N.Y. City

Geo. C. Wadley

Court of General Sessions

The People

vs  
Mary Burnes

City and County of New York ss.

Dogart 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 good.

Subscribed and sworn to before me  
this 16<sup>th</sup> day of November 1892

Ferdinand Spiess  
Commissioner of Deeds  
N.Y. City

Dogart R. Throckmorton

POOR QUALITY  
ORIGINAL

0039

Court of General Sessions

The People

Mary Barnes

Applicants as  
Character

J. Oliver & Co.

Deft. Ally

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 *pitcher* 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.

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  
\$500 # RBE

Witnesses:

Reduced to  
\$1000 by Court  
judicially

~~David Scher for~~  
~~by Mrs. A. Groth~~  
237 E. 121

Barclay

Joseph R. Munster  
123 Wall St.

See Enforcement  
Within

Counsel,

Filed

day of

1892

Pleas,

THE PEOPLE

vs.

Abraham Barnett

Part 3 magd. DANCEY NICOLL,

District Attorney.

Part 3 magd. 16

A TRUE BILL

Foreman.

Dec 10/92

Part 3 January 1893

Ind and jury disagree

This case in the  
Open and Damages Dec. 6<sup>th</sup>  
1892. Before the Justice of  
Peace. Case for Jury  
\$1000 (11) for conviction of  
assault in the 3<sup>rd</sup> Dist.

Subsequently was in Jan.  
'93 in Part (3) of the  
Court decision upon Judge  
Fitz James the Defendant  
was again placed on trial  
and the jury (7) for  
conviction of Manslaughter  
in the 2<sup>nd</sup> Dist. The case  
was thoroughly investigated  
by the two juries and  
all the evidence obtained.  
Indictment. Since that  
time the Defendant who  
is a father of a family has  
conducted himself in a proper  
manner. As has been  
a shortening man. The witness  
in the case has since dropped.  
As there is no possibility of  
his being placed upon trial  
again. James Fitz James  
the Defendant of the District  
May 20<sup>th</sup> 92. Work resumed.  
James and wife

Paul front at  
1700# RBC  
174116868 :

Reduced to  
\$1000 by Court  
of Dietrich

RBC

Davidson for  
Clyde & Brother  
207-61741

Barclay

Joseph R. Hunter  
RBC 3 Weeks at

See Indorsement  
Within

Counsel

Filed

Pleas

1892

THE PEOPLE

vs.

Marion Bonaparte

Part 3 may be DANCEY NICOLL

Part 3 may be DANCEY NICOLL

A FIDELITY

Foreman

Dec 6/92

Dec 10/92

Part 3 January 1893

which and jury disagree

This case is the  
Open and Innocent Dec. 6/92  
1892. Before the Court in  
Circuit. Case for Jury  
8/10/92 for Corroborate of  
accuse in the 3rd of  
Subsequently and in Jan  
'93 in Part (3) of the  
Sentencing before Judge  
Fitzgerald the Defendant  
was again placed on trial  
and the jury (7) for  
Committee of Manufacturers  
in the 2nd of. The case  
was thoroughly investigated  
by the two juries and  
all the evidence obtained  
substantiated. Since then  
the Defendant was  
is a father of a family who  
confronts himself in a prison-  
ing manner. As has been  
a shortcoming man. The witness  
in the case has since dropped  
and there is no possibility of  
his being placed upon the  
case. James Thompson's Memo  
the sentence of the District  
May 20th 92. Work done in  
the case.

1892. Before the Court in  
Circuit. Case for Jury  
8/10/92 for Corroborate of  
accuse in the 3rd of  
Subsequently and in Jan  
'93 in Part (3) of the  
Sentencing before Judge  
Fitzgerald the Defendant  
was again placed on trial  
and the jury (7) for  
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by the two juries and  
all the evidence obtained  
substantiated. Since then  
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confronts himself in a prison-  
ing manner. As has been  
a shortcoming man. The witness  
in the case has since dropped  
and there is no possibility of  
his being placed upon the  
case. James Thompson's Memo  
the sentence of the District  
May 20th 92. Work done in  
the case.



Isaac Cominsky, Jr.

Officer Burke - 6<sup>th</sup> Precinct -  
arrested Cominsky for assaulting  
a citizen & put him in the County Jail  
and sent for 3 months - May 11  
June 92.

Character

(3)

Rev. John J. Wilder -  
134 Broome St -

(2)

Thomas Bills  
"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 - 2<sup>nd</sup> ad.).

Officer Covenan - Met in Secret place -

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

to Brooklyn - Williams his  
Boss (Dined thus report was in his empty)

Officer Mitman - Went to Barnett's Res-

25<sup>th</sup> St. Sat. night Sunday  
and Sunday night - Could

get no trace of him -

Dr. W. also admitted  
to Officer that he had

known him - Dr. W. was

ill and left - He met  
away in his shipper -

POOR QUALITY  
ORIGINAL

0047

The flatfield.

F. E. MITCHELL  
Supt

246 45. 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

W. 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

— 11 —  
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 Penicksky,

Mr you present at  
the last trial =;

Standing at No. 4 over.

Mr you at  
the corner of

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 Bayla. I was in  
front of 4 Bayla

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 23<sup>rd</sup> /92.  
Attempted to steal a diamond  
Pin valued at \$2.00<sup>00</sup>  
from 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

<sup>66</sup>THE MATFIELD,<sup>99</sup>

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. 633, § 1, 2—Laws N. Y. 1833, p. 10, § 4, 8.  
Laws Rel. to the City, p. 603, § 4, 8.

(1833)

Police Court

District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

of the 30 Precinct Police, being duly sworn, deposes and says,  
that on the 30 day of April 1892, 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 this  
day of May 1892  
Amherst  
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.

*Cm*

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

Kasselman here  
20 minutes

District Attorney.

John J. Curran. 6" Precinct went  
up to 306 E. 75<sup>th</sup> St bet 1+2 Aves  
on Sunday evening Sept. 4<sup>th</sup> 1892  
about 10 $\frac{1}{4}$  P.M. ... Went in Barnetts  
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 brothers  
house in 121<sup>st</sup> St near 3<sup>rd</sup> 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 Burman  
Statement

Michael J. Walsh arr NY Sept  
2, 1892 for Scranton Pa.  
1st time in N.Y. prison  
Sept 3 8:45 am betw at  
Cor of William St. - West Lyngdon  
Bridge

Baxter st. betw 10 & 11  
started at by Jews - Saw Barnett steps  
no 4. caught down shoulders both  
around front in store. Cornering  
caught by arm. Flower struck B. on  
chest. Behind back both hands on head  
Flower whirled out & I 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 for Dist Atty's office  
Went to Baxter street out of curiosity at flower's  
suggestion - saw how Jews act in pulling  
people in. Asked me for my clothes  
Sam Willis

Cloner

POOR QUALITY  
ORIGINAL

0060

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<sup>too</sup> 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

Mr. Wilds,  
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 ac-  
tive Pastor, besides the engrossing duties  
laid upon me by the State trial, 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.  
Clover than I do. He is the Supt of the Hall  
and came in contact with him daily. I know nothing  
more than he does, and can only testify, as in  
his 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 sin-  
cerity to be excused.

I am yours very sincerely,

Dec. 1892.

POOR QUALITY  
ORIGINAL

0062

the Peo  
at (Barnett)  
Dis. Dec. 9<sup>th</sup> 92  
[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.

1701

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 7<sup>th</sup> 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 Beaman  
Dated at the City of New York, the 7<sup>th</sup> 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 Subpcena is disobeyed, an attachment will immediately issue.

Bring this Subpcena 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 Terminus 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. Clower was seeing the sights in Baxter street 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.

POOR QUALITY  
ORIGINAL

0066

1000  
District Attorney's Office.

McCord said  
nothing to Barnett.  
Wait -  
McCord said  
Go -

POOR QUALITY  
ORIGINAL

0067

Police Department of the City of New York.

Precinct No. 6

New York, ..... 189

Saturday, April 30, 1892

8<sup>th</sup> P.M. Abraham Barnett - 30 - W - U.S. Peddler  
Mr. yes. 406 E-72<sup>nd</sup> St. Dis. Con. patrolman  
John G. Burke - one month. M<sup>r</sup> 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

0068

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

Xabott v. Peo. 86 N.Y. 460  
Peo. v. Lamb 210 N.Y. 360-77  
Eggers v. Peo. 56 N.Y. 342-643 } 103 N.Y. 655  
Peo. v. Thomas 67 N.Y. 218 } 1 Silvermail 182

See Carpenter v. Peo.

102 N.Y. 238



D. 10.	<p>             Henry Bonkinton - Ex account by Current.              Chas. H. Hartley -              Geo. A. Kibben - Ex account by Current.           </p>
D. 11.	<p>             Geo. W. Dingley -              D. 12. <del>James</del> James -           </p>
D. 13.	<p>             David H. Talson -              Jackson B. Stallings - Ex account by Current.              Erastus B. Phelps -              Marcus Bataravia -              Adolph - Steinberg -              William Watts -              Samuel, Kurlzman -              Peter J. Amy -              William Hoffmann - Ex account by Current.              George - Hoffman -              D. 14. <del>Wakym</del> Wakym -              D. 15. <del>Geo</del> - Dillman - Dillman Geo.              Frank Bird -              D. 16. <del>John</del> John, Samsom -              D. 17. <del>William</del> William -              D. 18. <del>John</del> John -              D. 19. <del>John</del> John -           </p>
D. 20.	<p>             13 By People -              19 By People -              Edward H. Kreamer - Ex account by Current.              James H. Green - Ex account by Current.              Albert C. Hyatt -              D. 14. <del>William</del> William -              John E. Drey - Ex account by Current.           </p>

POOR QUALITY  
ORIGINAL

0070

Thomas J. A. Diplov. Chalcopy & Consuls.  
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 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

(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, Comminsky, 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



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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.

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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  
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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  
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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  
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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  
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*Statements*

THE PEOPLE OF THE STATE OF NEW

YORK

*Maguire*  
*Burke*  
*Carroll*  
*against*

*Statements*

*Barnett*

*Statements*  
*of*  
*Witnesses.*

DE LANCEY NICOLL,

DISTRICT ATTORNEY,

No. 33 CHAMBERS ST.,

NEW YORK CITY.

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Coroners Office, N. Y. County.

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

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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**POOR QUALITY  
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*now 29<sup>th</sup> 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.

**POOR QUALITY  
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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 <sup>at 240 William - Rooms of the Typographical Union</sup> 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

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 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 <sup>think</sup> 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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came up the street.

Q Was he present when the scuffle took place? A. I didn't see him.

Q (By Mr. Bradley) Am I to understand that as soon as Clower 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 superintendent of an apartment house, where <sup>Thomas C.</sup> 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 appearance 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 <sup>him,</sup> 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 <sup>tell</sup> 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.  
dont

Q And you 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 <sup>which</sup> ~~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 <sup>have</sup> 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 <sup>At 4</sup> 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 be-  
tween 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 de-  
ceased 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. 4<sup>th</sup> 1892 W. H. Lee.

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.)

Beneath the skin 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 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 Throat is slightly fatty. The right lung is intensely congested. The left lung slightly less so. The abdominal organs normal.

Causes of Death. Meningeal hemorrhage or haem following fracture of first cervical vertebra, as described.

Taken before me  
this 3<sup>rd</sup> day of Sept. 1892  
Edmund J. Coroner

CORONER.

POOR QUALITY  
ORIGINAL

0115

Sept. 3<sup>rd</sup> 1892  
Mr. Coarson  
Clawson.  
Autopsy.

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<sup>d</sup> 99 - Fracture of  
C. 6<sup>th</sup> vertebra. Hemorrhage  
of  
hemorrhage.

A. J. Lorey M. D.

Sworn to before me, 4  
this

day of

Sept 1899

Fredmund Lorey

CORONER.



0117

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months	Days			
20			A. B. Morgan		Sept. 30, '92
<p>from 6<sup>th</sup> St. S. E.</p> <p>from 284 Bayview Dr.</p>					

Stevens (3)  
See Report 6<sup>th</sup> Vol, page

11/03/01

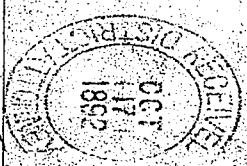
# AN INQUISITION

*On the* **VIEW of the BODY** *of*

Thomas Lewis  
corrected  
John Thomas Brown  
corrected  
on the contrary

Dr Abraham Danforth

24



114 day  
acquired today on the  
1892 before  
FERDINAND LEVY, Owner.

1892  
3rd June  
No. 1177

1290

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK,

AN INQUISITION

Taken at the Coroners Office

No. 7 Chambers Street, in the 6<sup>th</sup> Ward of the City of New York, in the County of New York, this 14<sup>th</sup> 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 3<sup>rd</sup> 1892 at No. 4 Baxter 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 22<sup>nd</sup> St. Andrew T. Borg 136 East 1<sup>st</sup> St.  
Gerrit Koenig 171 Essex St. John Hasselbrook 114 Clinton St.  
Henry Mahlstedt 62 Forsyth St. Henry Schilling 225 E Houston St.  
William Fuchslocher 110 Rivington St. Fred Just 120 Essex St.  
John Bull 900 3<sup>rd</sup> Ave. St.  
Peter Schmiedel 76 Allen St. I believe that he did not in self defense  
John Townsend 135 Essex St. I believe that he did not in self defense  
Ferdinand Levy Coroner. L. S.

Jurors.

- 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 Mc Mulkin

POOR QUALITY  
ORIGINAL

0 120

Notes of  
J. W. W.

Dr. P. Co.  
W. Barnett.

PATRICK CONNORAN, 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 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 ~~house~~keeper 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 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

Greenham



The Pro.

vs.

Graham Barnett.

List of Witnesses.

Michael J. Walsh - House of Detention.

Jacob Weir - 2334, Second Ave.

Thomas Minton - 216, Canal St.

Emil A. Kerschman - Officer, 29<sup>th</sup> Precinct.

Patric Corcoran - (a) 6<sup>th</sup> Precinct.

Magann,  
Sergeant ~~John~~ 5<sup>th</sup> Precinct

By Corner Minton -

John Burke - 6<sup>th</sup> Precinct.

Character Frank E. Mitchell, 48 Ridge.

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

(3) Thomas Bills - 48 Ridge St.

Michael Carroll 6<sup>th</sup> Precinct

John F. Mitchell " " Over

**POOR QUALITY  
ORIGINAL**

0 126

Witnessed

POOR QUALITY  
ORIGINAL

0127

District Attorney's Office.

Pro  
vs.

Reverend

Ref. in Ref.

(3) Calculus

for 1st May.

for business

Mr. M. M. M. M.

Ref. in Ref.

Journal.

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**

0 129

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.

0130

Water

13

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, Comminsky, 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

*Karschau*  
—

Membrane

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  
sack 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 groove.

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  
bone 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 - No matter which  
of the 2 electric wires is cut -

People - Banett

Dr Weston  
Albany

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

Graham Barnett

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

indictment, accuse

Graham Barnett -

of the crime of

Manslaughter in the  
second degree,

committed as follows:

The said

Graham Barnett,

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

11th - day of September, 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, widely  
and lawfully did make an assault, and  
kill the said John Thomas Crowe, with the  
poor hand of him the said Graham Barnett,

in and upon the neck & join the said John  
Thomas Flower, then and there wilfully and  
deliberately did strike, beat and wound,  
thereby giving unto the said John Thomas  
Flower, in and upon the neck & join the said  
John Thomas Flower, one mortal wound and  
fracture, & which said mortal wound and  
fracture the said John Thomas Flower  
then and there died.

And so the Grand Jury aforesaid  
do say, that the said Abraham Barnett,  
join the said John Thomas Flower, in  
the manner and form, and by the means  
aforesaid, wilfully and deliberately 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 M. McCall,

Attorney

0 138

**BOX:**

497

**FOLDER:**

4533

**DESCRIPTION:**

Baum, Harry

**DATE:**

10/06/92



4533

POOR QUALITY  
ORIGINAL

0139

Witnesses:

Mary Runkles

My McCauley

Counsel,

Filed

Pleads,

1892

THE PEOPLE

vs.

Harry Baum

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. Lockwood

Foreman.

Oct 16/92  
Henry J. Ledy

S. 10 2 1/2 m. 1892

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 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:

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 Green

now here from the fact that deponent  
was informed by Mary Plunkett  
of R. & Macy Ave. that she saw  
the deponent suspect 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 caught hold of said  
deponent and took said pocket book  
from deponent which deponent subsequently  
identified said pocket book containing  
said money as her property

Kate Phillips



POOR QUALITY  
ORIGINAL

0 14 1

CITY AND COUNTY } ss.  
OF NEW YORK,

1877.

aged 30 years, occupation Chap of No. 1424 6th Ave

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 O. Plunkett

John J. Ryan  
Police Justice.

POOR QUALITY  
ORIGINAL

0142

(1835)

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK }

2  
District Police Court.

*Harry Berman* 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 Berman*

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 Maker*

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

Answer. *I am not guilty  
Harry Berman*

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---

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Willie Williams

800 E 138th

Henry Williams

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36

Dated, \_\_\_\_\_ 189

Magistrate

Officer

Witness

Witness

Witness

Witness

Witness

Witness

Witness

Witness

Witness

Witness

Witness

Witness

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 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.

504

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 Phillips* 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.

*Al Lacey Nicoll,*  
*District Attorney*

0145

**BOX:**

497

**FOLDER:**

4533

**DESCRIPTION:**

Beaver, Fremont

**DATE:**

10/05/92



4533

POOR QUALITY  
ORIGINAL

0146

Witnesses:

Annie Beaver

Wm Driscoll

Counsel,

Filed,

Pleads,

THE PEOPLE

vs.

BIGAMY  
Section 298, Penal Code.)

2

Vermont Beaver

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. Lockwood

Foreman

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 West Washington Place Annice Beaver  
occupation Married Woman being duly sworn, deposes and says,  
that on the 28 day of September 1888, at the City of New  
York, in the County of New York,

Freeman Beaver now here, did feloniously marry and take himself a wife the well known at the time that defendant's 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 from St. Louis Cornelia that he procured the Married Certificate setting forth the fact that the defendant and Freeman were married in the city of New York at St. James Church St. James Church by the Rev E. J. McGinley to Marion Driscoll on August 1st 1887. Said Certificate hereto annexed and signed by Thos. McGinley 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 Marion on August 1st 1887 at St. James Church by the Rev E. J. McGinley.

Sworn to before me  
this 29 day of Sept 1888 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

Bonnie Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Alvin Brown

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 Troy

[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 Alvin Brown

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

Wm J Driscoll

[Signature]  
Police Justice.



POOR QUALITY  
ORIGINAL

0149

(1335)

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK

*George Beaur* 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. *George Beaur*

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 Owner*

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. Beaur*

Taken before me this

day of

189

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... District...

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Curie Weaver*  
*At 3 1/2 is resident in*  
*Albany*

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offense...

Dated, *Sept 27th* 189*2*

Magistrate.

Officer.

Peace Officer.

Witnesses

No. *Thomas Gray* Street

No. *John Smith* Street

No. *143 Madison* Street

No. *200* Street

to answer

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 *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* 189*2* *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. 28<sup>th</sup> 1892

It appears from the Records of  
the Church, that George Beavers  
and Mary Driscoll were married  
on Aug. 1<sup>st</sup> 1892, Rev. E. J. McGinley  
officiating - William J. Driscoll and  
Elizabeth Conklin witnesses -  
Thos. P. McDonough  
Past. 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 *Tracy* 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 Driscoll*, — and to the said

*Mary Driscoll* — 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*

1892

Pleads,

THE PEOPLE

vs.

*B B*

*William Becker*

*United to 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. Lockwood*

Foreman.

POOR QUALITY  
ORIGINAL

0 155

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 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

0 157

Witnesses:

*See for appra.*

*also*

~~*See for appra.*~~

*Mr. Taylor*

*St. Ann's Hotel*

*See for appra.*

Counsel,

Filed

Pleads,

189

THE PEOPLE

vs.

*Rudolph Beckmann*

Grand Larceny,  
[Sections 528, 529,  
Penal Code.]

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*B. Lockwood*

Foreman.

*Feb 3. Nov 22/92*

*Pleads Guilty 9.2.24*

*See Ref 7/93*

POOR QUALITY  
ORIGINAL

0158

(1965)

Police Court—South District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 58 East 11<sup>th</sup> 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 daylight 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 defendant  
occupied the same room with  
deponent in premises N<sup>o</sup> 58 East  
11<sup>th</sup> Street and said property was  
in said room and on aforesaid  
day deponent missed said  
property and deponent found  
part of said property in  
defendant's possession.

George Leonard

Sworn to before me, this  
day of October 1892  
Charles H. Kennedy  
Police Justice.

POOR QUALITY  
ORIGINAL

0159

1903

POLICE COURT 4 DISTRICT.

City and County of New York, ss.

THE PEOPLE

vs.

On Complaint of

For

Rudolph Beckman

George Leonard

Larceny

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. Laintor Police Justice.

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 under-  
signed according to law, on the annexed charge, and being informed that it is h 5 right to  
make a statement in relation to the charge against h 5; that the statement is designed to  
enable h 5 if he sees fit, to answer the charge and explain the facts alleged against h 5;  
that he is at liberty to waive making a statement, and that h 5 waiver cannot be used  
against h 5 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.

*I am 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. J. Beckman.*

Taken before me this

*15*

day of

*September*

*1894*

*Charles W. Dantley*

Police Justice.

POOR QUALITY  
ORIGINAL

0 16 1

1050 for 5x  
Monday Oct 17/92. 2PM

101  
Police Court... District.

BAILLED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
George Edmund  
58 E 11th St.  
Randolph Robinson  
Larceny

Dated Dec 15 1892

Magistrate  
Corcoran

Witnesses  
No. 58 East 11th Street

No. \_\_\_\_\_  
Street \_\_\_\_\_

No. 500  
to answer  
85.  
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 Dec 15 1892 Charles A. 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 J.W. B.W. Oct 20

Counsel J.B.

Filed, day of Oct 1897

Pleads, Not Guilty (Aug 7/93)

THE PEOPLE  
vs.  
Herman H. Benckel  
MISAPPROPRIATION  
(Sections 528 and 580 of the Penal Code.)

39 E.S. 8  
315 E.S. 8  
J.W. Benckel

Herman H. Benckel  
Aug 12/93

Oct 13

DE LANCEY NICOLL

District Attorney

Part I. Sept 29. '93 V. m. d.

A TRUE BILL

J. D. Lovell  
J. D. Lovell

Foreman

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

11

U.M.D. to make

Witnesses:

Supervisor of

temporarily for

11/15

6930-

Completed by

92 + 12

Oct 12/93

13 checks

from \$200 to \$1000

Cashed by

Wm. G. Thompson

Paid at

Harvard

159  
B. Oct 20  
Counsel J.B.  
Filed, day of Oct 1897  
Pleads, Not Guilty (Aug 7/93)

THE PEOPLE  
vs.  
Herman H. Benckes  
MISAPPROPRIATION.  
(Sections 528 and 530 of the Penal Code.)

DE LANCEY NICOLL,  
District Attorney.

Part I. Sept 29. '93 V. M. S.

A TRUE BILL.

5-23-93  
J. D. Lovellwood  
Foreman.

Aug 9/93  
Pleads Guilty S. V. 1st deg  
207  
11

Witnesses:  
V.M.D. to make  
Suffernan affirms  
H. Benckes  
11/15/93

6920-  
Commenced 11/17/93  
92-1-1-1  
Oct 12/93  
13 checks

from \$200 to \$100  
Cash paid by  
New York  
Penn  
H. Benckes

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 lenient to me after  
considering the following  
facts:

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

II I returned voluntarily  
to New York.

III I had 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 wrong entry in the books & said it was very likely that an expert bookkeeper representing the interests of the retiring partner would call & that I had to look 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 say 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 is 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 Tom Shaw will  
kindly convince the  
Judge a family of wife  
& 4 children (1706. II and)  
without any means I  
trust Tom Shaw will  
make the sentence  
light & not send me  
to the state prison



POOR QUALITY  
ORIGINAL

0170

New York Aug 8/23

Dear father

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

We have already got  
\$50.00 and mamma wants you  
to write to Pop + Schact, so that  
we can go to see them tomorrow

Please have the letters  
ready for us at 11 A.M.

Tomorrow, I remain

With best regards from all

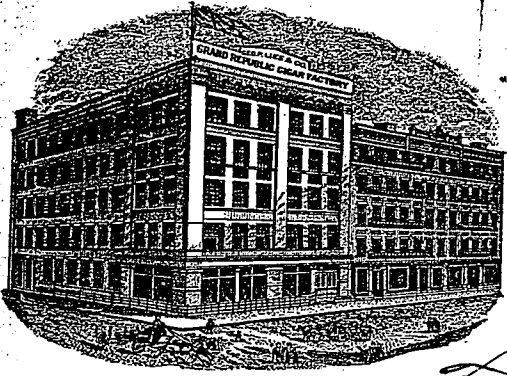
Your aff son

Herman

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

POOR QUALITY  
ORIGINAL

0171



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

GRAND REPUBLIC FACTORY,  
NEW YORK

OFFICE OF  
**GEORGE P. LIES & CO.**

AVENUE A AND 30<sup>TH</sup> ST.

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

This is to certify that Mr  
Herman Benecke entered into  
from October 3<sup>rd</sup> 1890 to September 19<sup>th</sup>  
1891 in the capacity as Bank Super-  
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 14<sup>th</sup>* 1890

Mr Herman Perceke  
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**

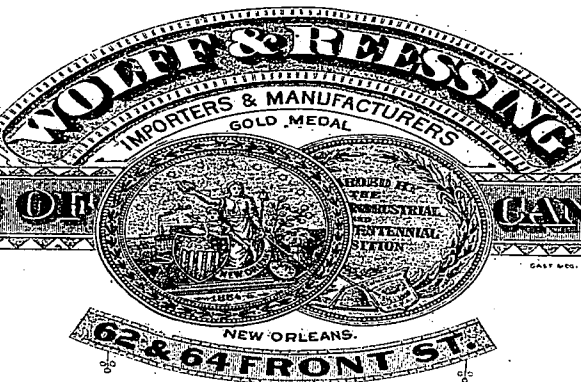
0173

FACTORIES:  
EASTPORT, LUBEC, LUBEC MILLS,  
MILLBRIDGE, JONESPORT, ST. ANDREWS,  
CHERRYFIELD, BETHEL,  
MACHIASPORT, EAST LAMOND, WEST PEMBROOK,  
EAST MACHIAS, SOUTH WEST HARBOR,  
ROBBINSON, SEGEWICK,  
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.



**PACKERS OF**



**CANNED GOODS**



*New York, November 1<sup>st</sup> 1887*

*To whom it may concern.*

*The bearer, Mr. Herman Bencke, 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 & Reissing*

5.

because there was never  
a charge against me  
before.

Very respectfully  
Herbert P. Bence

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

POOR QUALITY  
ORIGINAL

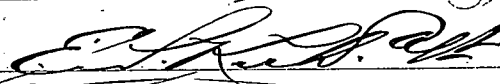
0175

No. 1174 New York, Oct 8th 1892

 MARKET & FULTON NATIONAL BANK

Pay to the order of Hamilton H. Salmon  
Eight hundred no five Dollars

\$800 <sup>00</sup>/<sub>100</sub>

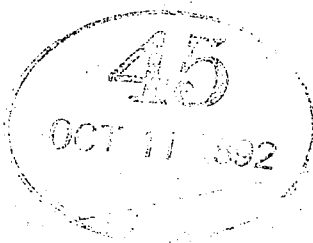


WILBUR & HASTINGS, LITH. 40 FULTON ST. N.Y.

POOR QUALITY  
ORIGINAL

0176

*Wm. H. Leland*  
*H. H. Plummer*  
*Wm. Engelmann*



Police Court 1st District.

Affidavit—Larceny.

City and County  
of New York, ss:

of No. 119 Fourth Street, aged 32 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 \$800.00

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 feloni-  
ously taken, stolen and carried away by Herman H. Bencke

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

R. Brandt

Sworn to before me this 10th day  
of October 1892  
John J. Sullivan  
Police Justice.

POOR QUALITY  
ORIGINAL

0178

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 39 years, occupation William Engleman of No. Restaurants

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

day of

15  
October 1892

Wm Engleman  
John Ryan  
Police Justice.



POOR QUALITY  
ORIGINAL

0179

*Spencer, St. New York*  
*71 Street*

BALD,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court---

District

1294

THE PEOPLE, &c.,  
OF THE COMPLAINANT OF

*Richard Brault*  
*vs*  
*William H. Benedek*

Offense

*Grand Larceny*

Date, *Dec 18*

1892

Magistrate

Officer

Precinct

Witnesses

*William Engle*  
No. *114* *Pearce* Street

No. \_\_\_\_\_

Street *407*

No. \_\_\_\_\_

Street

No. \_\_\_\_\_

to master

381  
81  
100

DISTRICT

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*

3d Vol. R. S. 5th Ed. § 74, p. 687.

*John F. Carroll*



**POOR QUALITY  
ORIGINAL**

0 18 1

1427

COUNTY OF NEW YORK, ss.:

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 20<sup>th</sup> 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 20<sup>th</sup> 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 H. Bencke*

BENCH WARRANT FOR FELONY.

Issued Oct. 20<sup>th</sup> 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.

538

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*  
as follows: *Grand LARCENY, in the first degree* committed

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:—

510

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

*Herman H. Benecke*

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

*first*

The said *Herman H. 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. Salmon*  
*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 McCall*  
*District Attorney*

POOR QUALITY  
ORIGINAL

0185

Witnesses:

Gordon ~~will~~

Counsel.

Filed, 2d

day of Oct

1892

Pleads,

THE PEOPLE

vs.

I

(Sections 528 and 53 of the Penal Code)  
LARCENY, 1st degree  
MISAPPROPRIATION.

Herman H. Benck

De Lancey Nicoll,  
District Attorney.

A TRUE BILL.

R. Lockwood

Foreman.

W. R. Davis

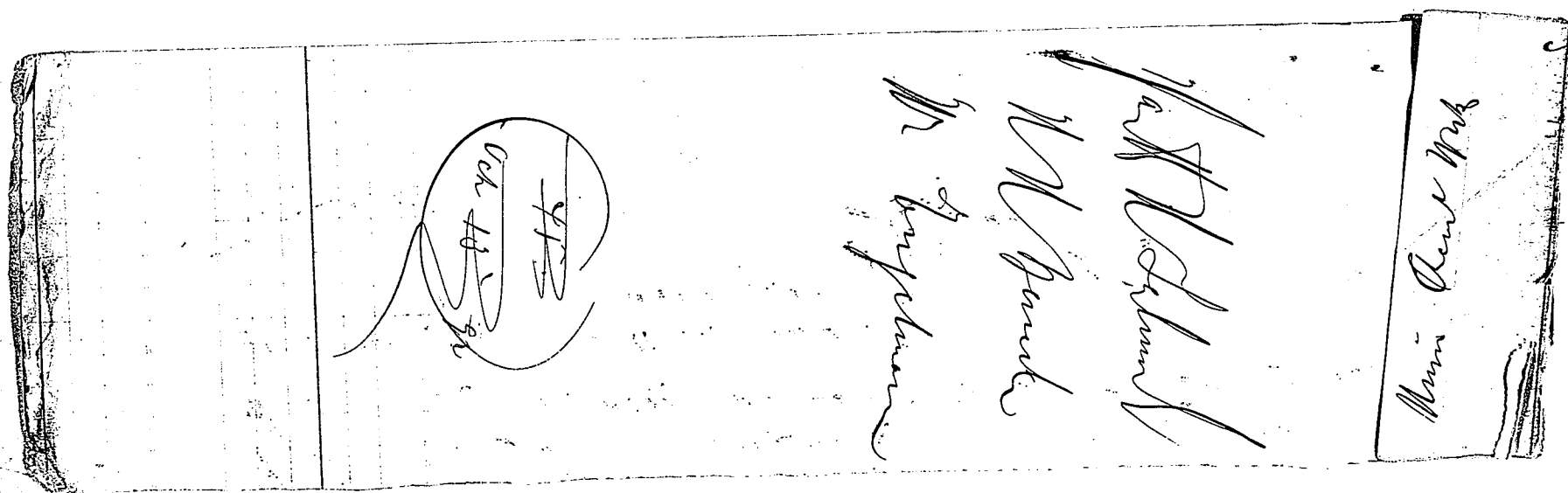
POOR QUALITY  
ORIGINAL

0186

1434  
Pay to the order of Wm. L. Lennett  
the sum of  $\frac{12}{100}$  dollars  
\$1237.12  
Wm. L. Lennett  
Muir Chem Works  
H. C. Hansen  
Treasurer

POOR QUALITY  
ORIGINAL

0 187



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

City and County } ss.  
of New York,

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 Herman H. Benedict

being bookkeeper in the employ of  
Hamilton H. & Belmont & Co a firm of  
which deponent is a member did  
feloniously steal a certain bank  
check for the payment of \$1237.12  
the property of said firm.  
Sworn to before me this  
10th day of August 1893

Wm. Lindsay  
Clerk of the Court  
Attest

R. Grandt



POOR QUALITY  
ORIGINAL

0 189

DISTRICT ATTORNEY'S OFFICE,  
City and County of New York.

THE PEOPLE, & C.,  
ON THE COMPLAINT OF

*Richard Brandt*

vs.

*H. H. Salmon*

*H. W. Benedict*

*(Pearce)*

Offence

Dated *Aug 10* 1893

Witnesses,

No. Street,

No. Street,

No. Street,

0 190

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

Sept 6<sup>th</sup> 1893

Mr. Richard Brandt.

Dear Sir,

Will you please  
call at this office & bring with  
you Mrs E. M. Salmon on  
Friday morning, 8<sup>th</sup> Sept. at 10<sup>30</sup>.

Please do not fail to bring  
E. M. Salmon,

Yours truly,

Vernon M. Davis.

Will return at about  
Sept 11 - 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

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  *tenth* 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 & 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:

Counsel.

Filed, 10 day of August 1893

Pleads,

THE PEOPLE

vs.

P

Herman H. Benecke

(2 cases)

(Sections 528 and 580 of the Penal Code.)  
(MISAPPROPRIATION.)  
LANCEY, (2 cases)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

A. J. C. Foreman.

pleaded guilty on another indictment

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

538

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*, co-partners,

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 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 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.~~

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Second COUNT:—

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

*Herman N. Bernecke*

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

*first*

The said

*Herman N. Bernecke*

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*

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*