

0306

BOX:

492

FOLDER:

4490

DESCRIPTION:

Philips, Henrietta

DATE:

08/10/92



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POOR QUALITY ORIGINAL

0307

Witnesses:
Isaac Phillips

161 J. A. H.
Counsel,
Filed day of Aug 1893
Pleads, *Henry July 17*
THE PEOPLE

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

vs.
Z

Henrietta Phillips

De Lancey Nicoll
A TRUE BILL.

DE LANCEY NICOLL,
District Attorney.

Alvin D. Apper
July 19/92
Foreman.
Henry July 17 day
Pen 4-1893
BM 28

THE PEOPLE

COURT OF GENERAL SESSIONS, PART I.

vs

BEFORE JUDGE MARTINE.

HENRIETTA PHILIPS.

Thursday, August 13, 1892.

Indictment for assault in the second degree.

A Jury was empannelled and sworn.

ISAAC PHILIPS, sworn and examined.

Where do you live? #75 Forsyth St. Is this defendant your wife? Yes. How long have you been married to her? About 14 months. On the 3rd day of August did you live at #75 Forsyth Street? Yes. What is your business? Tailor. Were you living with your wife on the 3rd of August? Yes, at 32 Livingston Street I used to live. And she lived with you on the 3rd day of August? No. How long had you been living away from her on that day? 10 Weeks on the divorce case. On the 3rd day of August did you see the defendant? Yes, she was following me around every day, to my mother's house even, at one o'clock in the night, and broke in the door. Did you see her on the 3rd day of August? Yes, on the street, she was following me around. What time was it you saw her first on that day? About 8 o'clock in the morning, on Delancey Street near Chrystie. Did she say anything to you then? She says I shall go to live with her, she wanted to take a room for me and I shall come and stay with her again, she will be good to me, and I said, no, do not follow me around I do not want to speak to you on the divorce case; she said if I didn't take the divorce case off she is going to kill me. I says, I am going to take the divorce case and don't follow me around, I am afraid of you, I left her and went away and went to the corner of Chrystie and Stanton Streets to get a glass of beer, she followed me around and when I was in the saloon I saw her come into the side door and I said something to the saloon-

keeper, Mr. Prince, he is here, he was there when she came in, she came in from the side door, I said to the saloon-keeper she should not follow me around and told him to keep her away from me because she follows me, then she went to the corner of the bar, I thought she had a stone, I did not see anything in her hand, but as soon as she made with her hand I thought she had a stone; she tried to throw with her hand near the bar, which was about six or seven feet from me, she threw something and I was trying to run to the side door, I saw her make a motion with her right hand. Did you see anything in her hand? Yes; I do not know what it was; if it was a bottle, she was holding it in the middle like this (showing) she made with her hand and I was running to the side door. Did she go out into the street to get around into the other door? Yes; I was near the bar when I saw her. Did she say anything? No, nothing; I was facing the bar. And then what happened? I ran up as far as I could and I fell on my face, it was warm and I ran to a drug store. Is that all you felt warm? Wet and warm. Where did you feel it? Right here (pointing to the right side of his head). What door did you go out of the saloon? The corner door where she was. I ran back because I felt so warm; she made the remark before that she was going to burn me about two months ago. Did you run past her? No, I did not see her, I ran to the drug store right away, the drug store is on the corner of Forsyth Street, I do not know who keeps it; I asked him to save me, and the man says to me he cannot save me, he did nothing, he sent me to a doctor at 54 Stanton Street, Doctor Burgtorf, he tried to save me to cure it. Did he put anything on you? Oil and some flannel. I had a cutaway coat on at the time. This is the coat which I had on (producing it). When you first went into that sal-

oon was that coat as it is now? No. Did it have these stains on it? No. Did it have those holes in it? No. What made that stain? She threw the stuff on me. This is the hat which I had on; the bottle is here. Did any of that stuff go in your eye? Near my eye, right here. Are you able to see out of that eye? Yes. Your sight was not destroyed? No, it pains me a little. After that how many times did you go to the doctor? Every day. Did you speak to your wife after this happened? No, she was following me in the street and I spoke to her to keep away from me. When was that? I could not remember the day. How long was she following you? As soon as I gave the divorce case in, that is about two months ago. I left my home and my clothes and about two thousand dollars. She said she was going to kill me and burn me with vitriol in the street, she went up to my mother's house that night about one o'clock and I was not there. Is your mother here? No, not in court.

CROSS EXAMINATION:

You are sick now? I am very sick on my neck. Where were you during recess for half an hour before this court re-opened? I was outside in the park, I had a little whiskey, my heart was hurting me. I am not mistaken, I only had one drink. You have been in court all day haven't you? Yes. At the time when you were brought to Essex Market Police Court, when you appeared as a witness against your wife, was your head bandaged up then as it is now? Yes, sir, everything was tied up. You are married to your wife how long? About 14 months. During that 14 months, how many months have you occupied the same apartment with her? I was working honestly for my living, I do not understand you, I lived with her steady until the divorce case. How long did you live with her? About a year.

And you sued her for divorce? Exactly. From the day that you left your wife down to this day, you never were inside the rooms occupied by her? No. You were inside the building in which she lived? No, I supported my wife. Did you bring any men home with you? No, sir. You never did? No, sir. Did you ever have a card printed with your name or the name of your wife on it? No. Did you ever give to any man, in the past year, a card, upon which was your address, requesting him to call upon you and your wife? No. Did you ever give to any man or woman a card? I did not. Did you since you were a married man return home to your house at any time? No. Did you ever return to your house at any time since you were this woman's husband accompanied by any other man or by men? No, sir. Did your wife ever give you money since you were a married man? No. She never gave you any money? No. Where did you live immediately after you were married? In 32 Rivington St. How long did you live there? About three months. I went away from there to 38 Rivington St. Are those the only places in which you lived with your wife? Exactly. Did you ever hit or kick your wife? Never. You never struck your wife with your fist or hands? Never. Did you ever use a knife on her? No. Did you ever point a pistol and shoot it off at her? Never. Some time ago you hired a lawyer and brought a suit for divorce against your wife and that suit is pending at the present time? Exactly. You do not know whether you are going to be divorced or not until the end of the trial? Exactly. Do you know counsellors Repper and Rosenshine? Yes. They are counsel for your wife in the divorce case? Yes. Mr. Levy, who was here this morning, is your counsel in the divorce case? Yes. You had known your wife a long time before you married her, didn't you? Yes, about six months. Didn't

you know your wife more than six years? I did not. Where did you first meet your wife? In Greenpoint at her sisters. That was the first place you ever met her? No, not the first place, the first place I met her was in the city of New York, but the second time was in Greenpoint---the first place in the city privately with a party from England. You knew that your wife was an inmate of a house of prostitution before you married her, didn't you? No. Did you ever sleep with your wife before you married her? No. You took her to be a perfectly virtuous woman? A respectable lady. On the 3rd of August, were you working that day, the day this thing happened? Yes, I was working. You were working on the day that you had this stuff thrown on you? No, on that day I did not work, but I worked the day before; I worked half a day on the third of August. Did you know where your wife lived on that day? I do, in Chrystie Street. And that is the street where this trouble happened? I lived at 75 Forsyth Street. Did you go through Chrystie Street? Yes, I did. You went to the house where your wife lived? No. Did you go near? No, I was afraid. You tell us that your wife had something wet in her hand when she passed you? Yes; she did not throw the cup at me, only the stuff out of the cup. What was the reason you went through Chrystie Street. I passed through there to go up to the Bowery. Had you any particular reason to take that street? A customer of mine I am dealing with was there. What time did you leave home? About eight o'clock. You knew your wife lived in Chrystie Street? Yes. Did you pass her house? Yes. Were you looking for her? I was not looking for her. Didn't you tell us on your direct examination "my wife had been following me"? Yes. 75 Forsyth Street is between Grand and Chrystie Streets, the place where you say this happened

was at Chrystie and Stanton Streets? At Stanton Street, near Chrystie, a saloon there. As you were on your way along Stanton Street at what time of day was this? I was Wednesday, I guess, about 1 o'clock. About 1 o'clock, while walking through Stanton Street on your way toward the Bowery, you suddenly noticed your wife was following you, is that correct? Yes. When you got to the Bowery you turned back? Yes. Up to that time had there been a word between you and your wife? I spoke to her in Delancey Street near the Bowery, I left her and I went to the saloon. I stopped at Delancey Street and had my shoes shined; I met my wife on the corner of Stanton and Forsyth Streets, or Rivington Street, I do not remember the street, that is the first time I met her. About what time was it, as near as you can recollect? About 10 o'clock; she spoke to me first; she said to me she will be good, I shall go to work and live with her and I went to work and I gave her two dollars, she said to me I will drop the case. Did she call you by your name? She was going to kill me if I did not drop the case; I said, I cannot leave the case, I am in the divorce case now. She said if I would not go to live with her she would kill me, that scared me, I thought she was "bluffing" me only. Did her threat "if you do not live with me I will kill you," frighten you? It frightened me, I left her. Did you run? No, I did not run. You left her standing on the corner of Stanton and Forsyth Streets and you went towards the Bowery? Yes. When you got to the Bowery where did you go? I took a car and had a ride uptown on the Third Avenue road as far as Harlem in the horse car, I took the car back again, I stopped at one saloon and had a glass of beer; that was all I had from the time I left 75 Forsyth Street up to the time I got to Harlem. I took a day off because it was warm. I am in

the dry goods business now; I used to work before for a tailor Max Berghman eight years, I am a tailor, I buy and sell goods. What time did you arrive at your home? I could not remember that, it was about 11 o'clock. I went home to get something to eat for dinner. I stayed home about half an hour and went out in the street and met her again. Did you meet your wife on your way back from Harlem? No. She came in the side door of the saloon and she carried something wet in her hand; she did not say anything then. Did you notice any marks or bruises on her face? Nothing. Did you see her the second time that day? Yes. Why did you go from your house the second time up to Stanton and Chrystie Streets? I just passed there, no reason, I just chanced to. You did not know that your wife lived there? No, sir. You tell you never tried to get into the house where your wife lived? No. Did you see her at the time she made the motion? Yes, she was outside the door on the sidewalk, she opened the door with her hand and threw it in. At the time that she threw the contents of the cup at you did she say anything? She did not say anything, she must have seen me going in this place. How often had you been in the saloon before that day? That was the first time, I was there only once that day. Had you ever been there any other day? It may be, I do not remember. Do you know Mr. Prince? No. Did you never hear that name before, Prince, the saloon-keeper? I know his brother, I know another man on Clinton St. How many people were in the saloon at the time you were hurt? One man stood near me. Do you know his name? No. Have you since found out his name? No, the saloon-keeper, Mr. Prince, was there. I know his name because Mr. Mooney took his name; there was a man stood near Mr. Prince and near to me. This stuff that was thrown on you, was it scattered right around or

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about you? Yes, on another man, he is not here, he is in Chicago, Mr. Prince got some of it on his finger, Mr. Prince told me that the other man is in Chicago; he is no friend of mine. Did your wife follow you the day before this happened? She did not see me, she could not follow me. Do you remember answering the District Attorney that she followed you every day? She did. On the 2nd day of August did you see her? Yes. A moment ago, in answer to my question, you said, "on the 2nd of August I was working, my wife did not see me on that day"? She did not see me this morning, she saw me this afternoon, she was always following me around. Did you see her at all on the 2nd day of August. I did see her, some days I was away. Do you remember, as a matter of fact, whether you saw her on the day before this happened? Yes, I saw her but I never spoke to her, I saw her on Forsyth Street near Grand on the day before I was hurt. Why didn't you tell us that a while ago? I did not remember. Have you lived with your mother since you separated from your wife? No, I visited her. During the time you visited your mother, in the last ten weeks, have you met your wife at your mother's house? She came up once in the house. Was your mother there, and did you have a talk with your mother and did this woman talk with your mother? Yes; she said, she wanted to kill my mother and kill me. Right in your mother's own home? Yes. When was that? That was about 7 weeks or 2 months ago. That was after you had sued your wife? Exactly, for divorce. You met your wife at your mother's home on the very same day that the Court ordered you to pay your wife's lawyers fees? Not exactly, it was before but how long before I do not remember, about 5 or 6 days before. Have you ever heard your wife complain to your mother that you brought men to the house? No. Did you strike and beat her? No. Did you

profit and take money from her that she was compelled to earn by submitting to the wishes of your friends? No. You never heard your wife say that to your mother? No. You live in your own furnished rooms? In my own house and I own the furniture, it was bought at #290 Bowery from a man named Ashfield I gave her the money to pay for it. Do you know where your furniture is at the present time? I do not. Don't you know that Ashfield took it away? I do not know. You left the house and never cared about your property? Exactly. You knew that your wife had gone to Chrystie Street to live? No. You went out of the house? Yes. And never went back? No. You made no inquiries about your wife or where your furniture was? No. You have told us that you were kind of frightened on the morning of the 3rd of August when your wife said she would kill you if you would not live with her, did you go back to that neighborhood the same day in 2 hours? I passed through, I did not know she lived there, I was not very much frightened, I thought she was only "bluffing." Didn't you go there for the purpose of meeting your wife? No, sir.

RE-DIRECT EXAMINATION:

After you came back from Harlem that day you went to your home and got your dinner and left your house after dinner? Yes. After dinner you saw your wife? Yes, I saw her first in the morning. Where was she? That was between Stanton and Forsyth and it was about one o'clock. Did you see her on the street before you went into the saloon? Yes. You saw your wife upon the street then? Yes. And it was then she said she would kill you? Yes? Then you left her standing on the street? Yes. And went into the saloon, is that right? Yes. It was after that she threw this stuff on you? Yes. Before you went to Harlem you saw her on the street, didn't you, that

same day? Yes, sir, that same day. Before you went to Harlem you saw her on the street and talked with her? Yes.

BY COUNSEL:

Can you read and write? No. You made your complaint in the court, swore to it, and put your mark to the complaint? Yes. Why didn't you tell the Judge there you were burned in the back of the head? He did not ask me. Didn't you tell the Judge anything at all? No, sir.

THEODORE R. BURGTORF, sworn and examined:

Doctor, where do you live? #54 Stanton Street. You are a physician? Yes. Do you know the complainant, Isaac Philips? and did you treat him? Yes, sir, I know him since I saw him. Did he come to your office? Yes, he came to my office the first time about the 3rd of August, about 1 o'clock noon-time. He was in great agony, he had somebody else with him, I heard him already on the street before my door was opened; I heard his cries. When he came in I thought first the man was stabbed, I did not know what was the matter until I saw the red spots on his clothes, I took his hand away and I saw that he was burned with acid, I saw that right away he was burned on the back of the neck on the left side, the burn was about 2 inches wide running around the neck from the head down; it was deep at the beginning. The acid was thrown on his back, fortunately he did not get it on his head, he got enough to produce a burn about two inches wide running on the back part of his neck. I can take off the bandages and the Jury can see it for themselves. I did not dress them this morning but I have dressed the wounds every day so far. There is no wound on the right side of the neck? Not at all? You say that wound was produced by acid, acid which burned it? Yes. What sort

of acid? Sulphuric acid, vitriol. Will you open this bottle and examine the contents of it and state what it contains? Without using chemical tests I should judge this to be sulphuric acid. The other spots on that coat you say are from sulphuric acid, vitriol? Yes. Do you say the same of these spots on this hat (hat shown)? Yes. You have been treating him every day for this wound? Yes, sir, he is under treatment yet, you can see that has not healed up yet.

CROSS EXAMINATION:

Doctor, the man came to you with his hat on his head and the coat on his back? He had his coat on, I think he had his hat on but I am not sure. The stains on the coat are what you believe to be stains from sulphuric acid? Yes. And the tear in the sleeve---in fact, I believe, one of the sleeves is out entirely, that would not be the result of any other acid, that has been torn? Yes. Doctor, from the condition of the coat upon the man's back and the amount of acid upon the back and the condition of the man's head, in fact, all the surroundings so far as the man is concerned, could you tell what part of the body was struck first, was the head, or neck, or back? I should judge that his back was struck first and the acid splashed over. Could you tell us, from the condition that you found the man in on that day, whether the acid was forced upon his person, was it thrown upon him, or was a vessel containing the acid thrown at him and then splashed, could you tell? The acid must have been contained in something. Would you tell whether the vessel was held and the contents thrown from it or whether the vessel and contents were thrown? I guess that is pretty hard to answer. The same effect would be produced in either event? Yes. Assuming that a person had the acid in a vessel such as this, and assuming, as I ^{am} trying

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to use the language of the first witness, it was held, the top of it, as close as that, and suppose some one were to throw the contents that way (illustrating) would it not be more than likely that some of the contents would be scattered about the hand of the person throwing it? I think so, if the cup was full. Looking at the size of this cup and the condition of the hat, coat, and vest, and the neck of this complaining witness, that would lead you to judge that this cup was quite full? It might have been full, I do not know how much the cup contains. Judging from the amount of the stains? Yes, I should think perhaps a quarter of a pound had been thrown? Do they weigh it by the pound? They do acid, it is very heavy. And if this acid, that you call sulphuric acid, did touch the skin of the hand it would have the same effect as it would on a person's neck? Sure, it would burn. And it would cause the same discoloration as was seen on the neck of the complaining witness? Yes. Have you examined this woman's hands? I have never seen the woman, this is the first time I saw her. Was there any other trouble with the complainant's head, save and except the wound, I mean from external appearance? Nothing else. Your office is at 54 Stanton St., between what streets is that? Between Forsyth and Eldridge, on the up-town side. You treated him on the 3rd of August, shortly after 1 o'clock? It must have been that date, I am not positive. Did you examine the complainant's face, were there any indications of acid burning there? A few spots, they have been healed up now, one on the eye. In your judgment would it not have come from the acid which was thrown on the coat and back and spurted around? Yes. How about his eye? The eye was not injured internally but one drop touched the upper lip. As a matter of fact, if one drop of that acid, however small it might have

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been, had struck the ball of the eye, his eye-sight would undoubtedly have been ruined, would it not? No doubt. Did you examine the eye thoroughly at that time? Yes. Was there any question about his eye-sight being at all interfered with or damaged? Not at all. You were present in court when he swore that he lost the use of one eye? This is the first time I am here? You have not been in this court room during the examination of the complainant? No. Of course those wounds that the complainant is now suffering from are more or less painful even at the present time, are they not? Very little painful now but they were very painful in the beginning. Take, for instance, to-day, would it be necessary for him to hold his head on one side? Yes, the bandage will do that. Would it at this day, this having happened on the 3rd of August, require a person who had been injured as this complainant has, would he be suffering from any trouble of the heart in consequence of that? Not exactly, not necessarily. You were in company with this complainant during recess to-day, were you not? I met him outside in front of this building on the street, I had a glass of soda with him, I am not sure what he drank, I think he had some whiskey; there were two more gentlemen with him, I did not see him use a pitcher.

IVAN PRINCE, sworn and examined:

Where do you live? #25 Stanton Street. What business are you in? Liquor business, corner Chrystie and Stanton Streets. Were you there on the 3rd of this month? Yes. Did you see Isaac Philips there? I saw a gentleman but I did not know his name---that was the man (pointing to the complainant). What time did you see him? Between 12 and 1 o'clock. Tell us
13 everything that you saw? The gentleman came in and asked me

for a drink of whiskey and after he came in the lady came following him, calling his name, David, if I am not mistaken; he turned around and told her to get out; she went out and after half a minute she came in again and poured some of the liquid in his face. Did she pour it over him? No, she threw it at him, she came first in the back door and afterwards in the front door, she came in the front door in about half a minute after. When you first saw her did you see anything in her hand? No, I did not. What did you see her do? She went out after he told her to go out. When she came in the front door the second time what did she do? She just opened the door. What did you see her do? I was busy with customers, I could not tell you exactly; she threw the liquid at his face and at his back. Did you see her throw it? I did. Did you see anything in her hand? No, I did not. Did you see her make any motion? I did not. How do you know she threw it? She dropped the cup and ran out, that is the only way I know it. Did she say anything when she got there? She did not say a word. She had something this way at her side. Did you see her make any motion at all? I did not, I could not see? What is the first thing you noticed? He said, I am burned, run out for a doctor, my face is burning, and so he ran out for a doctor. What did she do? She ran away, she dropped this cup, I found the cup after she left the store, I went out in front of the bar. When you got in front of the bar what did you see? I saw my back bar burned and some of the liquid was on the floor, Where was the cup? The cup was standing in the front. Did you hear it fall? No. Did you stand right still in your saloon all the time? I did, all the time, somebody followed the woman, I had nobody else in there, I never left it. How near the door was that cup? About three feet inside of my sal

oon. Did you see this woman drop the cup? I did not. Did you find anything else there? That is all I found. Did you notice the inside of the cup? I did, yes, sir. What was its condition? Some little of the burning liquid, I poured water in there and gave it to Mr. Mooney. Did you smell the liquid that was in it? I did, I put some on my finger, it burned my skin and I poured water on it. Did any of this stuff fall on you? No, it did not. Any burn you got on your finger you got by applying your finger to smell the amount of liquid in the cup? Yes. Did it smell like anything you saw before? It never did. You found your back bar burned did you? Yes. Before this man Philips called out that he was burned did he do anything to this woman? Nothing. He did not hit her? He did not hit her, I never saw the man nor the woman before. And he simply told her to go away? That is all he told her. You are sure he did not hit her? He did not. I will ask you again, I want you to take time, did this man Philips, who was burned, do anything to this woman, the defendant, in your saloon? No. Did he threaten to do anything to her? He did not. Did he have any club, or stick, or stone, or pistol, or knife? No, sir, he had nothing at all. She simply came there to your door and threw this over him? She came there, calling his name and after he told her to go out she threw the liquid.

CROSS EXAMINATION:

You say that Philips spoke to his wife in your saloon? No, the lady called his name. What name did she call? I could not tell you exactly. You told us once before? It might be Dave or Jake. You know his name is Isaac? I do not know it. Then he turned around and spoke to her? Yes, he did. Are you sure about that? I am sure about that. What did he say to her? He told her to go out, not to follow him. Then what

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happened? Then she went out of the side door and came in the front door and the same moment he called out he is burned. Do you remember telling us a minute ago that she threw this fluid in his face? I did not say I saw it, I could not swear she did. Didn't you tell us she did? I did say so. You did not see her do that did you? I did not. As she came in the front door she stepped up to him did she? No, she went and opened the summer door. She pushed the summer door in? Exactly. You were behind the bar? Yes. And saw her in the act of throwing her hand out, is that it? I did not see the action of throwing the liquid. You saw her standing in the door and the next thing you saw or heard was the complaining witness say he was burned? Yes. Did you see any evidence of the liquid upon him? I did. She disappeared? She disappeared and ran out. She said nothing and he said nothing at that time? No. Then you came from behind your bar and found that cup? I did. Where did you find it? About three feet from the door, inside the saloon. How far from the door was Philips? About 10 feet. Then the cup would be lying about 7 feet from the place Philip stood? Exactly. Was there anybody else in the saloon beside you and Philips? Yes, two of my customers. Are they here today? They are not here. Do you know where they are? One is in Chicago. Had you known Mr. Philips before that date? That was the first time I ever saw the man. Has he visited your place since that day? I heard he visited it but I never met him. You never had a talk with him about this case? No, sir, I never did. Did you ever send him word that one witness was in Chicago? No. Do you know that he says that one witness is in Chicago? No, sir, he did not know it, I never told him. Where is the other customer? I do not know where he is. Do you know his name? I do not. Did this man who went to Chicago and Philips come into your place together? No, Mr. Philips

ips came alone. Did they stand together at the bar? About one foot away. Were they talking together? No. What did Philips call for? Whiskey, if I am not mistaken. You are sure about that? Yes, he paid me ten cents. Did he but anything else in your place? No, sir. Did he seem to be excited at all? He did not. He was perfectly quiet and calm? Yes? There were three people standing at the bar, is that right? Yes. Who stood nearest the door? The gentleman who went to Chicago, then the customer was next, and then Mr. Philips. So that Philips was the third man from the door? Yes, exactly, from the front door. It was from the front door this acid was thrown? Yes, sir.

WILLIAM J. MOONEY, sworn and examined:

What precinct are you connected with, officer? The 11th. Did you arrest this defendant? Yes, sir. When? At 169 1/2 Christie Street on the night of the 3rd of August. When did you first hear of the case? About 2 o'clock that afternoon in the station house. Who brought you word of it? Mr. Philips's brother. Where did you go then? I went to 39 and 41 Delancey Street. Who did you see there? Mr. Philips, the complainant. Was his head bound up then? Yes. Did you see his coat and hat? Yes. Did you bring them away? Yes? Is this the coat and hat (shown)? Yes. Are they in the same condition now as when you got them? No. Hold up the coat will you, was it in the same condition as to stains? Yes, sir. Were there holes in there? No, sir, not when I got the coat. You had possession of the coat ever since? Yes. Those holes have been produced how? By that stuff eating it. You got the coat and hat from the complainant and brought it here to-day? Yes. Did the complainant talk to you? Yes. Did you learn
17 anything from him and did he mention the name of any person

and did you go after that person? Yes, I followed her over to Greenpoint. Where did you go first? 196 1/2 Chrystie St. You went after the defendant? Yes. Did you go into the house? Yes, the front parlor. Did she live there? Yes. Did you go into the room? Yes. Who was there? The house-keeper? In the room? No, not in the room, when I went there she met me in the hall, I rung the bell, she opened the defendant's door and called her. Was the defendant inside? No. Did you search the room? Yes. Did you find anything? That bottle (pointing to the bottle in evidence); it contained some of the same liquid that is in there now. You have had it ever since? Yes. I brought it to the station house.

MR. DAVIS: I ask permission to pour some of this liquid upon a part of the coat.

THE COURT: The District Attorney may do so.

BY MR. DAVIS:

Where did you go from 196 1/2 Chrystie Street? I followed her to Greenpoint; after having a conversation with some persons I went over to Greenpoint looking for the defendant. Where did you go? To her sister's, 400---some avenue, I forget the name of the avenue. Did you find her there? No, sir. Then what did you do? I came back to New York again. Where did you go next? To 196 1/2 Chrystie Street, about 6 o'clock that evening. Did you find her there in her room? Yes. Did you arrest her then? Yes. What did you say to her first? I asked her what made her throw that stuff on that man? She said that she was crazy, she was sorry she had done it "I had a good mind to go and give myself up," she said. That is all the answer she gave me. Did you have any further talk with her? No, not then, I took her to the station house. Did you have any further conversation with her after that? No, sir. Did

she say anything at the station house? Nothing more than she was sorry that she had thrown the stuff, that is all. On the way to the court have you told us all the conversation you had with her about it? Yes, she was sorry that she had thrown it, that was about all the conversation I had with her.

CROSS EXAMINATION:

Did she tell you what caused her to be made crazy? No. I do not recollect that she ever said anything to me as to that. You told us all that she said? Yes, all that I recollect. She had been informed that her husband lost his sight hadn't she? I do not know as to that. Didn't you tell her his eyes had been burned? I would not say I told her. Some one told her that her husband was severely burned? She saw him in your the next morning. Then she expressed her sorrow? Yes. But you cannot remember as to whether or not she made any statement as to what crazed her? Not to me she did not. There were other officers in the case? There were other officers there in court. I mean in this particular case, did you make the arrest or your partner? Both of us together. Is your partner here? He is away on his vacation, Officer Smith. Smith was there at the time of the arrest, is that right? Yes.

BY COUNSEL:

You say you found this defendant in her room? Yes. Was that the same building in which the saloon is? No, sir, it is 4 floors below the saloon in Chrystie Street.

Friday, August 19, 1892.

IVAN PRINCE, re-called by Counsel:

You testified yesterday that you saw Mrs. Philips standing in the doorway of your saloon, that is correct is it not? Yes that is correct. You saw her make a motion with her hand? I
19 did not testify to that. At the time that Mrs. Philips was

standing in the doorway her husband was ten feet away from her, that is what you testified? I said about----

THE COURT: He said about 7 feet, if I recollect? Yes, sir.

BY COUNSEL:

I paid you a visit last night, did I not? Yes, sir. I was in the saloon, you showed me where Philips stood and you also showed me where Mrs. Philips stood and then I measured the distance and it was 21 feet, was it not? The way you measured it it was 21 feet in a straight line. At the threshold of your doorway there is sheet iron on the floor? Yes, sir. About 6 inches wide and as long as the doorway? About 4 feet long. Was there not a sheet of iron wider than this which runs the whole length of the door-sill? Yes. Between that iron and the street there is a stone? Exactly. In the inside of your saloon that is covered with wood? It is a wooden floor. Right at the door at which this defendant stood there is a lunch counter within two feet? Yes, within 2 feet, about. So that any person who undertook to throw anything from that doorway to the place that you indicated that Philips stood would be compelled to throw whatever it was across the corner of the lunch counter? Yes, certainly.

BY MR. DAVIS:

You were in your place this morning? About half past ten. Did you hear that I had been there also? My bar-keeper told me a gentleman was there. Your lunch counter runs from the front doorway on the right as you enter, right back through the saloon, does it not, to the side door? No, except like this, the railing and the doorway was there (illustrating). On that lunch bar did you notice any stains of this acid? I did. Those stains were on the top of the bar were they not? On the top of the lunch bar. Then right under those stains did you

observe any stains on the front? Yes, I did. Then right back of your lunch bar did you notice some stains on the little barrels you have got there? Yes. Those were washed off by your man whom I saw thos morning? Yes. Then did you noticed some of this acid extending right opposite that on your regular bar? Yes, a few drops. They have been washed off by the man whom I saw there this morning? Exactly. When did you first notice the stains? Immediately after I saw the woman. Did you then examine your bar? I did. Did you notice anything upon the bar at that time? Those spots on the bar. Did you notice any liquid or any wet place? The bar was wet. Was the floor wet? Not very much. Was it any wet? Yes; a few drops.

The Counsel for the Defendant withdrew the plea of Not Guilty and pleaded Guilty to the indictment. The Defendant was remanded for sentence.

ST

THE COURTROOM FOR THE COURTROOM.

GUILTY and blessed GUILTY to the indictment. The defendant

THE COURTROOM FOR THE COURTROOM. THE COURTROOM FOR THE COURTROOM.

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*Testimony in the
case of Phillips
Henrietta*

*Aug. 1892
filed*

Police Court— 3 District.

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

of No. 75 Forsyth Street, aged 28 years,
occupation deal in dry goods being duly sworn
deposes and says, that on the 3rd day of August 1892 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Henrietta
Philips (now here) who threw at and
upon deponent a quantity of sulphuric
acid so that deponent was burned
and wounded about the face. That
said acid caused deponent to
lose the sight of one of his eyes.
Said 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 4th day
of August 1892

Isaac Philips
Mark
Police Justice.

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK } ss:

3
District Police Court.

Henrietta Philip 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. *Henrietta Philip*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *196 1/2 Christie Street; 5 days*

Question. What is your business or profession?

Answer. *None*

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

Answer. *I am not guilty
of the killing*

Taken before me this *4th*

day of *August* 189*2*

[Signature]
Police Justice

64 Aug 4th 1892
11 & 1/2 St

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

James Phillips
75 2nd St
Henricetta Phillips
Offense, Fel Assault

Dated, Aug 4 1892

Magistrate.

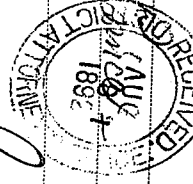
Officer

Witness

No. _____
Street _____

No. _____
Street _____

No. _____
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 Twenty five Hundred Dollars, _____ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Aug 4th 1892 _____ Police Justice.

I have 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.

24 Aug 4th 1892
11 & 1/2 St
J. H. H.

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

Lease Philip
75 through
Henrietta Philip

Offense, Fel Assault

2 _____
3 _____
4 _____

Dated, Aug 14 1892

Magistrate, _____

Officer, _____

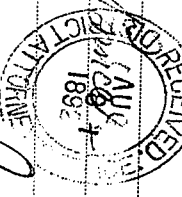
Witness, _____ Precinct _____

No. 54 Stanton St. Street _____

No. _____ Street _____

No. _____ Street _____

25-711. Answered _____



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

Dated, Aug 4th 1892 _____ Police Justice.

I have 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.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Henrietta Philips

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

— Henrietta Philips —

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

The said *Henrietta Philips*,

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

— Isaac Philips, —

in the peace of the said People then and there being, feloniously did wilfully and wrongfully
did make an assault; and the said *Henrietta Philips*, to, at, against
and upon him the said *Isaac Philips*, a quantity of
a certain *corrosive fluid known as sulphuric acid*, —
with a certain — which she the said

— Henrietta Philips —

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, — the said
then and there feloniously did wilfully and wrongfully cast and throw, and him
the said *Isaac Philips* thereby then and there feloniously did wilfully and
wrongfully strike, beat, burn — 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

— Henrietta Phillips —

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

The said Henrietta Phillips,

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 Isaac Phillips, —

— in the peace of the said People then and there being, feloniously
did wilfully and wrongfully make another assault; and the said Henrietta Phillips, ~~to, at, against~~
and upon the said Isaac Phillips, a quantity of —
with a certain corrosive fluid known as sulphuric acid, then
and there feloniously did wilfully and wrongfully
cast and throw, and ~~him~~ the said Isaac Phillips,
which ~~the said~~
with the said sulphuric acid as cast and thrown as aforesaid,
in ~~right hand then and there had and held~~, in and upon the head
and face of him the said Isaac Phillips,
then and there feloniously did wilfully and wrongfully strike, beat, burn,
bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully
and wrongfully inflict grievous bodily harm upon the said Isaac Phillips,
— to the great damage of the said Isaac Phillips, —
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.

0336

BOX:

492

FOLDER:

4490

DESCRIPTION:

Pinckney, Eugene A.

DATE:

08/18/92



4490

Witnesses:

Chas. J. Denbald

Counsel,

Filed

day of May

189

Pleas,

THE PEOPLE

vs.

B

Eugene O. Bucknery

[Section 528, and 529, Penal Code.]

(False Testimony)

DE LANCEY NICOLL,

District Attorney.

Mr. Davis has the stenographic
minutes of this trial.

A TRUE BILL.

Alfred P. Applegate

Foreman.

James B. Donovon

W. S. P. 4 yrs & 3 mos

May 26/92 P.M. 2.6

POOR QUALITY
ORIGINAL

0338



State of New York, Sing Sing Prison.
Office of Agent and Warden.

W. P. Braun,
Agent and Warden.

Sing Sing, March 18, 1908. 189

Hon. Randolph B. Martine,
Court of Genl. Sessions,
New York, N. Y.

Dear Sir:

In the case of the People of the State of New York, "respondents,"
against Eugene A. Pinney, "Appellant." Said Eugene A. Pinney was sentenced
by you on Aug. 23rd, 1902 for the term of four years and three months in this
Prison. The necessary papers were served on us in Oct. 1902 in connection
of a certificate of reasonable doubt. Said Eugene A. Pinney was taken to
Court on an argument for an appeal, and released to the Tombs on Oct. 5th, 1902.

My understanding is that he has been granted a new trial and has been
admitted to bail pending the result of same; if this be true, we should make it
appear on our books that he has been discharged by reversal of judgment. Will
you kindly send me the necessary authority to take his name from our books, and
such other,

Yours respectfully,

W. P. Braun,
Agent and Warden.

POOR QUALITY
ORIGINAL

0339



State of New York, Sing Sing Prison.
Office of Agent and Warden.

W. R. Braun,
Agent and Warden.

Sing Sing, March 14, 1903. 189

Hon. Randolph B. Martine,
Court of Genl. Sessions,
New York, N. Y.

Dear Sir:

In the case of the People of the State of New York, "Respondents,"
against Eugene A. Pinney, "Appellant." Said Eugene A. Pinney was sentenced
by you on Aug. 23rd, 1902 for the term of four years and three months in this
Prison. The necessary papers were served on me in Oct. 1902 in a copy
of a certificate of remission. This Eugene A. Pinney was taken to
Court on an argument for an appeal, and returned to the Tombs on Oct. 2nd, 1903.

My understanding is that he has been granted a new trial and has been
admitted to bail pending the result of same; if this be true, we should make it
appear on our books that he has been discharged by reversal of judgment. Will
you kindly send me the necessary authority to take his name from our books, and
acknowledge,

Yours respectfully,

W. R. Braun,
Agent and Warden.

POOR QUALITY
ORIGINAL

0340

W. R. Brown -
Warden of Sing Sing
Murd 13, 1893
People vs E. A. Sweeney

96.75-
84.30

Police Court District. Affidavit—Larceny.

City and County of New York, ss:

Charles F. Denholme

of No. 112 William Street, aged 53 years, occupation Shirt Maker being duly sworn,

deposes and says, that on the 14 day of May 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 quantity of underwear valued at Thirteen dollars - and good and lawful money of the United States amounting to ^{Eighty three} ~~Sixty three~~ 75/100 (\$83 75/100) dollars all amounting to \$96 75/100 dollars

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by E. A. Pinckney

for the reasons following to wit: on said date the defendant went to defendant's place of business - 112 William Street and purchased a quantity of underclothing amounting to Thirteen dollars - and gave to deponent the annexed check on the First National Bank of Belle Plaine, Iowa, for the amount of Ninety six 75/100 dollars defendant told deponent that said check was good - Deponent believing the representations of defendant to be true accepted said check in payment for payment of said underclothes and also gave to defendant the sum of Eighty three 75/100 dollars in good and lawful

Sworn to before me, this 14th day of May 1892, at New York City, Police Justice.

Money of the United States -

Deponent further swears that he deposited said check for collection and the same was returned to him protested. Deponent wrote to the First National Bank of Belle Plaine, Iowa, and received the annexed letter from S. S. Sweet the President of said Bank -

Deponent therefore prays that said defendant be apprehended and dealt with according to law -

Charles F. Bartholme

Sworn to before me
this 15th day of July 1892

D. D. [Signature]
Police Justice

**POOR QUALITY
ORIGINAL**

0343

(1935)

Sec. 198—200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Eugene A. Pinckney

Question. How old are you?

Answer.

40 years

Question. Where were you born?

Answer.

New York City

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

Answer.

2 Poplar Street Brooklyn 8 months

Question. What is your business or profession?

Answer.

Wooden Ware Manufacturer

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
E. A. Pinckney*

Taken before me this

day of July

1894

Police Justice.

POOR QUALITY
ORIGINAL

0344

Sec. 151.

1347

CITY AND COUNTY } ss. Police Court 1 District.
OF NEW YORK, } In the name of the People of the State of New York; To the Sheriff of the
County of New York, or any Marshal or Policeman of the City of New York:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of
the Police Justices for the City of New York, by Charles F. Denholme
of No. 112 Mulham Street, that on the 14 day of May

1892, at the City of New York, in the County of New York, the following article, to wit:

a quantity of under clothing valued at thirteen dollars
and food and lawful money of the United States
amounting to Eighty three 75/100 Dollars

all of the value of nine six 75/100 Dollars,
the property of Denholme and Hoban
w. as taken, stolen and carried away, and as the said Complainant has cause to suspect, and does
suspect and believe, by C. A. Pinckney

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended
and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command
you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the bod y of the
said Defendant and forthwith bring him before me, at the 1 DISTRICT POLICE
COURT, in the said City, or in case of my absence or inability to act, before the nearest or most
accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 15 day of July 1892

[Signature]
POLICE JUSTICE

POOR QUALITY
ORIGINAL

0345

Police Court.....District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated.....189

Magistrate.

Harry

Officer.

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

Officer.

Dated.....189

This Warrant may be executed on Sunday
or at night.

W. J. D.

Police Justice.

S U P R E M E C O U R T.
N E W Y O R K C O U N T Y.

-----X
THE PEOPLE OF THE STATE OF NEW YORK,
Respondents,

-against-

EUGENE A. PINGREUX.

Appellant
-----X

Upon the annexed affidavit, the indictment against the defendant upon which he was convicted, and upon the stenographer's minutes of the trial of said defendant, LET the District Attorney of the City and County of New York, show cause before me, or any other Justice of this Court, at a Special Term thereof, to be held at the County Court House, in the City of New York, on the 14th day of September, 1892, at the opening of the Court on said day, or as soon thereafter as counsel can be heard, why a certificate of Reasonable Doubt, should not be granted to the defendant in this action pending appeal. And why the defendant should not have such other, and further relief in the premises as may be just and proper. LET service of this order, and a copy of the annexed affidavit upon the District Attorney, on or before the 12th day of September, 1892, be deemed a sufficient compliance with the rules and practise of this Court.

Dated New York September 12, 1892.

Wm. Beach
J. S. C.

S U P R E M E C O U R T

New York county.

-----x
THE PEOPLE OF THE STATE OF NEW YORK,
Respondents,

-against-

EUGENE A. PINCHNEY,

Appellant.
-----x

City of New York Jo.

JOHN R. HEINZEMAN, being duly sworn, says that he is a practising attorney and counsellor-at-law of this Court, and as such was counsel for the defendant above named upon his trial. That on the 24th day of August 1892, the defendant was placed on trial at the Court of General Sessions of the peace, before his Honor, Randolph B. Martine, presiding Judge, upon an indictment charging the defendant with the crime of grand larceny in the second degree, in having by false and fraudulent representations secured property of the value of more than twenty ^{five} dollars (\$25), and less than five hundred (\$500.) dollars. That upon said trial, the defendant was convicted of said offense on the 26th day of August, was sentenced to imprisonment at hard labor, in the state prison, for the period of four years and ³ ~~six~~ months, and that in pursuance of said judgment, the said defendant as near as deponent has knowledge, is now imprisoned in State Prison, at hard labor. That since said conviction at the

request of defendant, and as his counsel, deponent has caused Notice of Appeal from said Judgment to be served upon the Clerk of said Court, as well as the District Attorney of the County of New York, in compliance with the statute in such case, made and provided, and that deponent as the attorney aforesaid intends in good faith to present such appeal to the General Term of this Court, with due and reasonable diligence. That during the pendency of said trial, several motions were made on behalf of defendant by deponent, which were either denied, or overruled, and exceptions duly taken, and also at the close of plaintiff's case, per the entire evidence in the case, deponent moved the Court to direct the jury to acquit, upon the ground that there was no case made out against the defendant, as matter of law, which motion was denied, and exception taken. That defendant feels aggrieved at such rulings, and intends to present the same upon appeal to this Court, and that the defendant among other rulings and facts that were presented and made, desires to submit to the appellate Court for its determination, the following:-

THE indictment charged the defendant with falsely representing a certain check, drawn upon a bank at Iowa, to be good. The check was drawn by one, Thomas, to the order of the defendant, and was dated May 13, as near as deponent can now recollect; he presented the check, three or four days thereafter to the complainant, and stated that he knew the maker, that the maker was responsible, and that

he, defendant, would forward to him a car-load of goods. Upon this statement, the complainant delivered to defendant a quantity of goods of the value of fifteen dollars, and paid to him the like value in current money, between that amount, and the amount of the check, aggregating in all the sum of sixty-one dollars. Upon cross-examination of all the ~~witnesses~~ ^{witnesses for defendant} on material facts in the case, no witness undertook to swear that on the day of the presentation of the check to the complainant, and representations ^{made} that it was worthless, or that in fact at any time it was worthless, or neither did either of the witnesses undertake to swear that the complainant's check was in fact worthless, or that any representations were made by him concerning the maker of the check, or its payment upon presentation ~~was~~ were untrue. Neither did they undertake to testify that as a matter of fact, the check was worthless at any time, although the indictment assumed the defendant to well know his statements to be untrue. Upon these facts at the close of the people's case, counsel moved the Court to direct the jury to acquit, upon the ground that the necessary elements constituting larceny or false pretenses had not been shown, or in any manner proven. But, notwithstanding, such motion, the Court declined to make such directions, and exception was taken, and the defendant thereupon was convicted. This as one of the points on appeal, defendant contends was error. He should have been acquitted, and upon this, as well as other errors, which defendant contends were committed by the

Learned Court, said Judgment should be reversed. That the stenographer's minutes of the trial have not yet been prepared, and respondent prays that upon the merits of this motion for a certificate of reasonable doubt, this Court will permit his counsel to present the official stenographic notes of the trial to this Court.

That the respondent is now confined in State's Prison in pursuance of said judgment, and that as respondent has been informed by a friend of respondent, he has recently visited him, in suffering great mental and physical anguish and torment. For that reason respondent asks for an Order to show cause, returnable in less than 14 days, why a certificate of reasonable doubt, should not be granted herein, pending the final hearing and determination of said case. No previous application for this Order has been made.

Sworn to before me this

10th day of September, 1900.

John H. Heingelmann

John Finch

Count of Beets
my C. O. C.

0351

day of 189

HYMAN & CO., PRINT. 187 ORCHARD STREET N.Y.

0352

BAILED,

No. 1, by.....
Residence.....
Street.....

No. 2, by.....
Residence.....
Street.....

No. 3, by.....
Residence.....
Street.....

No. 4, by.....
Residence.....
Street.....

not 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.....

*I have 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

0353

BAILED,
No. 1, by Charles R. Smith
Residence 144 West 14th St. 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

Robert J. Smith
112 West 14th St.
George A. Smith

Offense

Dated, Aug 11 189 2

Wm. H. Smith Magistrate.

William H. Smith Precinct Officer.

Witnesses
Wm. H. Smith Precinct.

No. 13 by Wm. H. Smith Street.

No. 14 by Wm. H. Smith Street.

No. 15 by Wm. H. Smith Street.

No. 16 by Wm. H. Smith 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 _____

Dated, Aug 11 189 2 Wm. H. Smith 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.

At a General Term of the Supreme
Court held in & for the West Department
at the County Court House in the
City of New York on the 17th day of
February A.D. 1893,

Present

Hon: Charles Van Brunt 10.J.,
" Morgan J. O'Brien &
" Dwight L. Hallatt } Justices,

The People of the State of New York, }
Respondents,

vs,
Eugene W. Prineas
Appellant }

The appeal taken in the above entitled
cause from the judgment of conviction
rendered against the above named
Appellant in the General Sessions of the
Peace held in & for the County of New York,
on the 26th day of August 1892 of
Grand Larceny in the second degree -
may be heard before this Court
and may be argued by Henry H. Mahan
of counsel for the Appellant in support of
the appeal, and by Henry B. Staples Esq
Assistant District Attorney for the
County of New York for the People, and

maturing deliberation being thereupon
had the Court doth order, as aforesaid
and decree that the said judgment &
sentence appealed from be and the
same is hereby reversed and a new
trial is hereby granted to the defendant
and the record is hereby remitted to
the General Sessions aforesaid to have
such proceedings taken thereon as
the law directs.

W. J. P. *Accepted*
Henry J. Purroy
Clerk

The People of the State of New York
agent *Eugene A. Pinckney* Respondent
appellant }

New York Oct 24. 1893

Received from Henry J. Purroy
County Clerk, and Clerk of the
Supreme Court. Case on Appeal
Filed December 22. 1892 in the
above entitled action pursuant to
order of Supreme Court. General Term
of which this is a certified copy.

My Supreme Court

The People of the
State of New York

Respondent

vs

Emerson T. Pichney,
Appellant,

Certified Copy
order of reversal &
for New Trial,

John R. Hennighan

Attorney General
~~See~~ a copy of a copy of
within order is herewith
Quoted Mr. Kelly 3/2/93
McLaney, Inc.
best copy



POOR QUALITY
ORIGINAL

0357

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST

Eugene A. Prichney

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

Eugene A. Prichney

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

The said *Eugene A. Prichney,*

late of the City of New York, in the County of New York aforesaid, on the *fourteenth*
day of *May,* in the year of our Lord one thousand eight hundred and
ninety- *two*, at the City and County aforesaid, with force and arms, with intent to
deprive and defraud *one Charles F. Denholme,*

of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the
use and benefit thereof, and to appropriate the same to *his* own use, did then and there
feloniously, fraudulently and falsely pretend and represent to *the said Charles*
F. Denholme,

That a certain paper writing, in the words and
figures following, to wit:

\$96.⁷⁵/₁₀₀

Belle Plaine, Iowa, May 10th 1892

First National Bank,

Pay to E. A. Prichney Treasurer or order
Twenty six ⁷⁵/₁₀₀ Dollars.

No. 712

Edward Thomas.

and upon the back of which there was then and

there endorsed as follows, to wit: "E. A. Puckney
Treasurer", which said paper writing he the said
Eugene A. Puckney then and there produced
and delivered to the said Charles T. Denholme,
was then and there a good and valid order
for the payment of money and of the value
of ninty six dollars and seventy - five
cents,

By color and by aid of which said false and fraudulent pretenses and representations, the said

- Eugene A. Puckney, -

did then and there feloniously and fraudulently obtain from the possession of the said Charles
T. Denholme, a quantity of underclothing
(a more particular description whereof is to
the Grand Jury aforesaid unknown) of the
value of thirteen dollars, and the sum of
eighty three dollars and seventy five cents
in money, lawful money of the United States
of America, and of the value of eighty
three dollars and seventy five cents,

of the proper moneys, goods, chattels and personal property of the said Charles T.
Denholme, -

with intent to deprive and defraud the said Charles T. Denholme, -

of the same, and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said paper writing which
he the said Eugene A. Puckney so as
aforesaid then and there produced and
delivered to the said Charles T. Denholme,
was not then and there a good and valid
order for the payment of money, and was

**POOR QUALITY
ORIGINAL**

0359

not of the value of ninety six dollars and
twenty five cents, or of any value, but was
wholly worthless.

And Whereas, in truth and in fact, the pretenses and representations so made as afore-
said by the said Eugene A. Puckney —
to the said Charles F. Denboline — was and were
then and there in all respects utterly false and untrue, as he the said
Eugene A. Puckney —
at the time of making the same then and there well knew;

And so the Grand Jury Aforesaid, do say that the said
Eugene A. Puckney —
in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods,
chattels and personal property of the said Charles F. Denboline, —
then and there feloniously did STEAL, against the form of the statute in such case made and pro-
vided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,
District Attorney.

0360

BOX:

492

FOLDER:

4490

DESCRIPTION:

Polistina, Luigi

DATE:

08/17/92



4490

POOR QUALITY
ORIGINAL

0361

Witnesses:

Counsel,

Filed

Pleads,

day of Aug 1897

THE PEOPLE

vs.

Enrique Solistina

Grand Larceny, Second Degree
[Sections 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Alfred S. Appgar

Foreman.

Wm. H. 19
J. H. 19
D. H. 19
P. H. 19

POOR QUALITY
ORIGINAL

0362

Police Court

District.

Affidavit—Larceny.

City and County }
of New York, } ss:

of No. *Sumner Long Island* Street, aged *40* years,
occupation *Care taker for* being duly sworn,

Hempstead deposes and says, that on the *9* day of *August* 189 *21* 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:

*The vest, one gold watch with
chain attached, a number of
flannel shirts several pairs of
undershirts and a quantity of
stockings and handkerchiefs the
whole being valued at fifty dollars*
\$50.00

the property of

Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by *Kingi Polistone*

*(now here) for the reasons following
to wit: deponent having missed
the said property from a trunk
which had been thrown open
in deponent's room at Jones's Martine
in Long Island he is informed by
Officer Connelley that he
recently found in the possession
of the defendant a shirt which
shirt deponent identifies as being
a part of the stolen property.
The defendant informs him that he
had sold the said watch to
a man on East 34th Street*

C. J. M. Mautone

Sworn to before me, this *10* day

of *August* 189 *21*

W. H. Mautone Police Justice.

POOR QUALITY
ORIGINAL

0363

CITY AND COUNTY
OF NEW YORK, } ss.

aged

years, occupation

of No.

Connelley J. Scully
Police Officer
29
104
Pier
Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *Gillius Maccolini*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

day of

1882

Connelley J. Scully

W. McMahon

Police Justice.

1802

POLICE COURT DISTRICT.

City and County of New York, ss.

THE PEOPLE

vs.

On Complaint of

For

Gillius Maccolini
Bring Motion for
Luigi Polistone into the County

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

1892

W. McMahon

Police Justice.

Luigi Polistone

POOR QUALITY
ORIGINAL

0364

(1335)

Sec. 198, 200

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *Luigi Polistone*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *200 Elizabeth 1 day*

Question. What is your business or profession?

Answer. *Labourer*

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*
Luigi Polistone

Taken before me this

Luigi Polistone
1892

Police Justice.

POOR QUALITY ORIGINAL

0365

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, etc.,
ON THE COMPLAINT OF

William J. Macdonald
Joseph J. O'Donoghue
Henry J. O'Donoghue
John J. O'Donoghue

Dated,

189

Officer

Witnesses

No.

Street

No.

Street

No.

Street

No.

Street

to answer

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

Robert J. Macdonald

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *Fifty* 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, *May 11* 189 *W. J. Macdonald* 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.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Luigi Polistina

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

Luigi Polistina

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

The said

Luigi Polistina

late of the City of New York, in the County of New York aforesaid, on the *9th* day of *August* in the year of our Lord one thousand eight hundred and ninety-~~two~~, at the City and County aforesaid, with force and arms,

one watch of the value of twenty-five dollars, one chain of the value of ten dollars, one vest of the value of five dollars, ten shirts of the value of one dollar each, five pair of drawers of the value of one dollar each pair, ten handkerchiefs of the value of fifty cents each and fifty stockings of the value of ten cents each,

of the goods, chattels and personal property of one

Gillius W. Maccolan

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

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

The said

Luigi Polistina

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,

the same goods, chattel, and personal property described in the first count of this indictment

of the goods, chattels and personal property of one

Gillian W. Maccolini

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

Gillian W. Maccolini

unlawfully and unjustly did feloniously receive and have; the said

Luigi Polistina

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.

0368

BOX:

492

FOLDER:

4490

DESCRIPTION:

Potts, May

DATE:

08/10/92



4490

POOR QUALITY
ORIGINAL

0369

Witnesses:

Counsel,

Filed

189

Pleads,

THE PEOPLE

vs.

I

May Dotts

DR LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Allen Q. Applegate

Foreman.

Aug 11/92
Fred V. Applegate

Burglary in the Third Degree.
[Section 488, 506, 528, 532 and 535.]

POOR QUALITY
ORIGINAL

0370

Police Court District.

City and County
of New York, ss.:

of No. 35 Vandam Street, aged 16 years,

Occupation Housewife being duly sworn

deposes and says, that the premises No. 35 Vandam Street,

in the City and County aforesaid, the said being a four story brick

dwelling

and which was occupied by deponent as a residence on the second floor

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

were BURGLARIOUSLY entered by means of forcibly breaking off

a padlock from the door of a

room on the said second floor

on the 2 day of August 1882 in the day time, and the

following property feloniously taken, stolen, and carried away, viz:

a pair of trousers and a silver watch

of the value of about fifteen dollars in

all.

\$15

the property of deponent and her husband, John Martin

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

Mary Potts (now here)

for the reasons following, to wit:

Deponent left the said property securely locked and closed in said premises about the day of noon on said date, and on deponent's return at about 4 o'clock p.m. the said premises were broken open and the said property was missing. Deponent suspects and charges defendant with committing said burglary for the reason that defendant lives on

POOR QUALITY
ORIGINAL

0371

the same floor, with defendant in the next room and defendant is informed by Annie Harris, and Mary Harris, (nurses) that about the hour of 3.30 o'clock A.M. they saw the defendant fussing with the lock of the said door, and soon after that the defendant went out out with a bundle. Subsequently pawn tickets for other property that had been stolen in the house were found in defendants possession and defendant knows of no other person but defendant who had an opportunity to commit said burglary.

Sworn to before me this
9th day of August 1892 } Maria Martin
H. J. White }
Notary Public }

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Degree

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.

POOR QUALITY
ORIGINAL

0372

(1335)

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer.

May Potts

Question. How old are you?

Answer.

28 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

25 Vandam St - 1 month

Question. What is your business or profession?

Answer.

Housewife Cook

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

Answer.

I am not guilty. I know nothing about. I work hard for my living. The bundle I took out with me was my own property.

Mrs May Potts

Taken before me this

day of

189

Police Justice.

POOR QUALITY
ORIGINAL

0373

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

Annie Morris
aged 10 years, occupation none of No. 35 Vandem
Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Kelly Martin
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 9
day of August 1892

Annie Morris

A. J. White
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

Mary Morris
aged 9 years, occupation none of No. 35 Vandem
Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of _____
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 9
day of Aug 1892

Mary Morris

A. J. White
Police Justice.

POOR QUALITY ORIGINAL

0374

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

Police Court, District, 948

THE PEOPLE, &c,
ON THE COMPLAINT OF

Kelly Martin
35 Boulevard
May Potts

Offense, Burglary

Dated, Aug 3 1892

White Magistrate.

Howard J. Clark Officer.

8 Precinct.

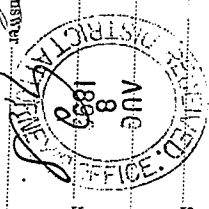
Witnesses Annie Harris

No. Mary Harris Street.

95 Madison St.

No. _____ Street.

No. _____ 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 _____

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, Aug 3 1892 A. J. White Police Justice.

I have 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.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

May Gots

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

May Gots

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

The said *May Gots*,

late of the *Eight* Ward of the City of New York, in the County of New York aforesaid, on the
second day of *August*, in the year of our Lord one
thousand eight hundred and ninety-*two*, with force and arms, in the *day* time
of the same day, at the Ward, City and County aforesaid, the dwelling house of one

John Martin

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said *John*
Martin, in the said dwelling house then and there being, then and there
feloniously and burglariously to steal, take and carry away, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York and
their dignity.

POOR QUALITY
ORIGINAL

0376

SECOND COUNT—

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

May Potts —

of the CRIME OF *Petty* LARCENY, —

committed as follows:

The said *May Potts*, —

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

one pair of trousers of the value of
four dollars, and one watch of the
value of seven dollars,

of the goods, chattels and personal property of one *John Martin*, —

in the dwelling house of the said *John Martin*, —

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

THIRD COUNT:

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

May Potts

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

The said *May Potts*,

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

*one pair of trousers of the value
of four dollars, and one watch
of the value of eleven dollars,*

of the goods, chattels and personal property of *John Martin*,

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said *John Martin*,

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

May Potts

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

DE LANCEY NICOLL,

District Attorney.

0378

BOX:

492

FOLDER:

4490

DESCRIPTION:

Price, George

DATE:

08/19/92



4490

0379

POOR QUALITY
ORIGINAL

Witnesses:

George W. Acker

George

George

Counsel,

Filed

Plends,

day of Aug 189

THE PEOPLE

vs.

George Trice

Grand Larceny,
(From the Person,
[Sections 822, 823, 824,
Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Allen R. Ayers

Foreman.

George W. Acker

S.P. 3, 1895
Aug 19, 1895

POOR QUALITY
ORIGINAL

0380

Police Court

District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Fraunce Cull
of No. *45 Cherry* Street, aged *19* years,
occupation *Taxicab Driver* being duly sworn,
deposes and says, that on the *14* day of *August* 189*2* at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the ~~night~~ ^{and person} time, the following property, viz:

One Coat & vest

Being together of the value of

Five Dollars

the property 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 *George Price*

(known to me) for the reasons following
to wit, on the night of the aforesaid
day deponent *John* said property
in his person and deponent is informed
by *George W. Stenley* a police officer
of the 44th precinct of police that about
the hour of 10 o'clock A.M., on the night
of said day he found said defendant
who was under the influence of
liquor lying asleep on the sidewalk
in *Brooklyn*, Street with said
property in his person, and he
saw said defendant go up to
deponent and take said property

Sworn to before me, this
14th day of August 1892
Police Justice.

0381

15

Wm. F. Wood

POOR QUALITY
ORIGINAL

0382

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 35 years, occupation Police officer of No. 46 Precinct Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of John Cull and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this

day 15 of August 1888

George W. Akerly

W. J. Akerly

Police Justice.

POOR QUALITY
ORIGINAL

0383

(1935)

Sec. 198—200.

CITY AND COUNTY } ss.
OF NEW YORK, }

District Police Court.

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

Question. What is your name?

Answer. *George Price*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *155 Mayor Street Wreckburg Haver*

Question. What is your business or profession?

Answer. *Machineist*

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 Price

Taken before me this *16*

day of *August* 189 *7*

John J. Smith Police Justice.

POOR QUALITY
ORIGINAL

0384

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

1829

THE PEOPLE, &c.
ON THE COMPLAINT OF

Offense

Dated, August 11, 189

Magistrate

Officer

Witness

George W. Howard

No. 4, by

No. 13

Street

to answer

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

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, Aug 15 189 W. H. Howard 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.

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 Price

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

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

The said

George Price

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

*one coat of the value
of four dollars, and one vest
of the value of one dollar*

of the goods, chattels and personal property of one *Frank Bull*
on the person of the said *Frank Bull*
then and there being found, from the person of the said *Frank Bull*
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 Langley Newell,
District Attorney.*

0386

BOX:

492

FOLDER:

4490

DESCRIPTION:

Proett, Julius

DATE:

08/11/92



4490

POOR QUALITY
ORIGINAL

0387

183

Counsel,

Filed, 11 day of Aug 1892

Pleads,

W. J. [unclear]

THE PEOPLE

vs.

B

Julius Crockett

transferred to the Court of Special Sessions for trial and final disposal

Part 2 JAN 24 1893

VIOLATION OF THE EXHIBIT LAW
[Chap. 101, Laws of 1892, § 32]
[Sealed, etc., on Sunday]

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

Allen D. [unclear]

Foreman.

Witnesses:

Court of General Sessions of the Peace

1897

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Julius Proett

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

The said

Julius Proett

late of the City of New York, in the County of New York aforesaid, on the *thirty-first*
day of *July* 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

Julius Proett

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

The said

Julius Proett

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.