

00 10

BOX:

415

FOLDER:

3830

DESCRIPTION:

Pakulski, Bernard

DATE:

10/14/90



3830

0011

92

Witnesses;

Elis Benjamin
Jas Brady
11 percent

Counsel,

Filed 14th day of Oct 1890
Pleads, Not guilty

THE PEOPLE

vs.

P

Bernard Pakulski

Murder in the second degree,
and 3rd degree;
[Section 497, 506, 528 and 532]

JOHN R. FELLOWS,
odd Bay District Attorney.

A True Bill.

Andrus Little
Oct. 17/90 Foreman.

Guilty & convicted
P.I.

Pen one yr
Oct 21/90 21

479 /
The People

Bernard Pakulski

Court of General Sessions. Part I
Before Judge Cowing. Oct. 17. 1890
Indictment for burglary in the second degree.
I am a tailor and live at No. 262 Broome
st. in this city. I don't know what Ward that is in.
I saw the prisoner on the 3d of October in my
house; in my room. It was before five o'clock
in the morning. I and another man were sleeping
together in one room. I worked there; the one
who sleeps with me got up early in the
morning and he went away and I remain-
ed in the room and remained in the bed
yet. I closed the door and put a chain
against the door. Then I heard somebody
pushing open the door and the chain was
sliding and moving away and I saw this
young man there (the defendant) coming
in, and at the time we had work taken
from the shop lying in the room, ~~he~~ took
hold of the coats that were lying there. He
ran out into the hall and I caught him.
He dropped what he had in his hand in
the hall. I cannot tell if it was coats be-
cause there was a heap of clothing, and he
just took some of it. They were worth twenty
dollars. The coats belonged to me - they were
my own work. What became of this boy, did
you hold him till the officer came? ^{ye} Yes,
I held him and then I commenced to

hallos and the policeman came.

Cross Examined: When did you first see the defendant?

Five o'clock in the morning when I first saw him. Where were you at that time? I was lying in bed yet. You say he entered your room and went up to the clothes hanging on the wall? They were not hanging - they were lying on the working table where we work; the clothing was lying on the working table.

Did you see the defendant approach the table and take any of those clothes? Yes sir. For sure I watched when he opened the door, when he came in I watched already.

And you saw the defendant come out with the clothing did you? I caught him in the room yet. With the clothes in his possession? Yes sir, he held the clothes in his hand.

James Brady, sworn and examined, testified. I am connected with the 11th precinct. Did you arrest this defendant on the 3^d of October at 282 Broome St. in this city. It is in the Tenth ward, the eleventh precinct.

What time in the morning did you arrest him? I made the arrest about ten minutes to six o'clock in the morning. You found him under arrest when you got there, Mr. Benjamin had him? Yes sir. How long after the burglary was that do you know?

I do not know; but they had him some time. They had sent to the station house for an officer. I went around and got him.

How long did it take to go from the station house to No 262 Broome Street? Perhaps five minutes. You do not know what hour, the exact hour at which this burglary occurred do you? I do not know. What sort of a morning was that, you just came out on watch when you made that arrest didn't you?

Yes: it was a rainy morning; it was raining pretty hard.

Cross Examined: There was the defendant when you came to these premises? In the complainant's room - still in his room. Who was there besides the complainant, anybody, I mean other than the defendant? There was a lot of the neighbors in the hall. Did he have hold of the defendant? The complainant had hold of him. You could not talk to him? I could not talk to the complainant, but I could talk to the defendant. What did he say? He said he had been sleeping on the roof, he came down stairs and found the room open and walked in. He denied the commission of the larceny? He said he did not take the goods.

The Case for the Defence

Bernard Pakulski, sworn and examined, testified. How old are you? Seventeen years of age. Where do you live? No. 140 Munroe Street. With whom do you live? My mother and father lives there; she keeps a grocery store. Is your mother and father in Court today? No, sir; my grand mother came to see me yesterday; so I told her all about it. Did you notify her of the case being on for trial today? No sir, never did.

Have you ever been arrested charged with any offence before? No sir. This is the first time I have ever been arrested. I was sleeping on the roof, I went down and as I was going down stairs I saw the door open and he (the complainant) was asleep. I went to wake him up and tell him that his door was open. I pushed the door, he jumped out of bed and caught hold of me. I was standing there talking to him, and somebody ran down for a policeman and the policeman came and arrested me. I did not touch the coats, I was not in his room. I did not have the coats in my possession at any time. The jury rendered a verdict of guilty of petty larceny.

00 16

Testimony in the
case of
Bernard Pakulski

filed Oct.
1890.

0017

Police Court—3rd District.City and County { ss.:
of New York,of No. 262BroomeStreet, aged 30 years,

occupation.

Tailor

being duly sworn

deposes and says, that the premises No. 262 Broome Street, 10th Wardin the City and County aforesaid the said being a five story tenementbuilding, the fifth floor ofand which was occupied by deponent as a dwelling apartment and
tailor shopand in which there was at the time a human being, by name deponentwere BURGLARIOUSLY entered by means of forcibly opening the
door leading to said premiseson the 3rd day of Oct 1899 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:Two ~~over~~ coats of the value
of Twenty dollarsthe property of deponentand 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 byBernard Parkhurst (now here)

for the reasons following, to wit:

Deponent says - that he
noticed the door leading to his room
being opened, while deponent was
lying awake abed, which door
had been securely fastened,
and watching, saw defendant
enter said premises, and remove
said coats from where they had
been hanging on the wall, and

0018

Endeavor to leave said premises with
said property in his possession,
when he was seized by deponent
who held him until the arrival
of Officer James Brady of the
11th Precinct, who, arrested
defendant in said premises.
Wherefore, deponent charges
defendant with burglariously
entering his premises, in the
manner aforesaid, and prays
that he be dealt with as the law directs.

Sworn to before me
this 3rd day of Oct 1890 } Elias & Benjamin
mark
[Signature]
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1890
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1890
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1890
Police Justice.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—BURGLARY.

Dated 1890

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

0019

Sec. 198-200.

3-

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer.

Bernard Pakulsky

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer.

Russia

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

Answer.

140 Monmouth - yrs

Question. What is your business or profession?

Answer.

Porter

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.
Barney Pakulski

Taken before me this
day of

188

[Signature]
Police Judge

0020

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

Police Court--- 3--- District, 1576

THE PEOPLE, &c.
 ON THE COMPLAINT OF

Charles Stearns
 262 1st Avenue
Edward Partridge
 Offence *Burglary*

Dated

Oct 3-1890

Stogran Magistrate.
James Brady Officer.
 11th Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

No.

to answer.

Cam



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

defendant
 guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *ten* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.
 Dated *Oct 3-1890* *Stogran* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ 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

Bernard Cantalero

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

Bernard Cantalero

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

The said *Bernard Cantalero*,

late of the *Fourth* — Ward of the City of New York, in the County of New York
aforesaid, on the *Third* — day of *October* — , in the year
of our Lord one thousand eight hundred and *ninety* , with force and arms, about the
hour of *eight* o'clock in the *day* time of the same day, at the Ward,
City and County aforesaid, the dwelling house of one *Chas Benjamin*,

there situate, feloniously and burglariously did break into and enter, there being then and there
some human being, to wit: *The said Chas Benjamin*,

within the said dwelling house, with intent to commit some crime therein, to wit: the goods,
chattels and personal property of the said *Chas Benjamin*,

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.

0022

SECOND COUNT—

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

Bernard Balaubain —

of the CRIME OF *Petit* LARCENY, —

committed as follows:

The said *Bernard Balaubain*,

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 the said day, with force and arms,

*Two coats of the value of ten
dollars each.*

of the goods, chattels and personal property of one *Chas Benjamin* —

in the dwelling house of the said *Chas Benjamin*, —

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.

John R. Fellows,
Attorney

0023

THIRD COUNT—

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

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

The said

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

of the goods, chattels and personal property of one

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

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

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.

JOHN R. FELLOWS,
District Attorney.

0024

92

Witnesses:

Elias Benjamin
Jas Brady Green
H. Bennett

Counsel,

Filed

day of

1890

Pleads,

THE PEOPLE

vs.

Bernard Pakulski

P

Burglary in the second degree,
and Petit Larceny.

[Section 407, 506, 528 and 532]

JOHN R. FELLOWS,

odd Day

District Attorney.

A True Bill.

Arthur Little

Oct. 17/90

Foreman.

Guilty & convicted

P.I.

Pen one yr

Oct 21/90

21

0025

BOX:

415

FOLDER:

3830

DESCRIPTION:

Pettersen, Jens

DATE:

10/09/90



3830

0026

Witnesses;

W. G. Walker

H. Barry

Counsel,

Filed

day of

1890

Pleads,

THE PEOPLE

vs.

Jens Pettersen

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Amos Little
Oct 9/90 Foreman.
Charles Knutson
Elmer Ref.

0027

Police Court— 14th District.City and County { ss.:
of New York, }

William G. Walker
 of No. 456 Third Avenue Street, aged 25 years,
 occupation Plumber & Gasfitter being duly sworn

deposes and says, that on the 4th day of October 1889 at the City of New

York, in the County of New York, Dependent is informed by Police
 Officer James Barry of the 2nd Precinct of Police
 he was violently and feloniously ASSAULTED and BEATEN by

Peterson (now here), who cut and
stabbed dependent in the left side
of the face with a knife which
he then and there held in his
hand. Dependent further says
that such assault was committed

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

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

Sworn to before me, this 5th day }
 of October 1889 }

W. G. Walker

W. G. Walker Police Justice.

0028

CITY AND COUNTY }
OF NEW YORK, } ss.

James Barry
aged years, occupation Police Officer of the
The 21st Precinct Police Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of William G. Walker
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 5th
day of October 1890 } James Barry

W. J. Mahon
Police Justice.

0029

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *James Peterson*

Question. How old are you?

Answer. *21 years old*

Question. Where were you born?

Answer. *Norway*

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

Answer. *No 456 Third Avenue New York*

Question. What is your business or profession?

Answer. *Carpenter*

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 do not know anything about it. I am not guilty

James Peterson

Taken before me this

day of

1889

Police Justice.

0030

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

Police Court-- 4 District.

15/3

THE PEOPLE, &c.,

ON THE COMPLAINT OF

456 78-3rd Ave.

James Macken
James Chitman

Offence

Assault
Felony

Dated

Oct 5

1890

M. J. Mahan Magistrate.

James D. Denny Officer.

Witnesses

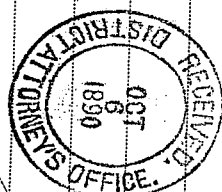
Alvin Officer

J. J. O'Connell Street.

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

Dated Oct 5 1890 W. J. Mahan Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0031

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Jens Pettersen

The Grand Jury of the City and County of New York, by this indictment, accuse
Jens Pettersen
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

Jens Pettersen

late of the City of New York, in the County of New York aforesaid, on the
fourth day of October in the year of our Lord
one thousand eight hundred and ninety with force and arms, at the City and
County aforesaid, in and upon the body of one William G. Walker
in the Peace of the said People then and there being, feloniously did make an assault
and him the said William G. Walker
with a certain knife

which the said

Jens Pettersen
in his right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent

him the said William G. Walker
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said
Jens Pettersen
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Jens Pettersen

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

with a certain

William G. Walker
knife

which the said

Jens Pettersen
in his right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully strike, beat, cut, stab 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.

John R. Fellows,
District Attorney.

THIRD COUNT—

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

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

The said

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

which the said

in right hand then and there had and held, in and upon the
of the said

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-
fully inflict grievous bodily harm upon the said

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.

JOHN R. FELLOWS,
District Attorney.

0033

BOX:

415

FOLDER:

3830

DESCRIPTION:

Pfunder, William

DATE:

10/03/90



3830

296

Witnesses:

James Mitchell

Upon the written recommendation
of Dep. Asst. M. D. Tynes filed
herewith, I recommend the
acceptance of plea of
Arson in 2nd Degree.

Jan 23, /91

J. M. Davis
Asst.

I concur in the above

Jan 23/91

J. Mitchell
F. Marshall

Counsel,

Purdy & McLaughlin

Filed

day of

1890

Pleads,

Guilty - 6 - the
Defendant being insane at the
time of the commission of the
crime as a Perfection
18 Realize
Rochester, Conn.
to Germany
single
William D. Prunder

Arson, first degree
[Sec. 486, Penal Code]

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Sent for the trial
Jan. 22, 1891, in D.

W. H. Hayes
Foreman.

Part 2 - Jan. 23/91
Pleads Arson 2nd degree

Elmira Ref.

POOR QUALITY
ORIGINAL

0035

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

Police Court, 4 District.

James Mitchell
of No. 159 East 67 Street, being duly sworn, deposes and
says, that on the 26th day of September, 1890

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

William Funder

(now here) did unlawfully and
wilfully burn or set on fire
in the night time premises 733
Second Avenue, dwelling house
in which there was at the time
human beings in violation of
Sections 486 of the Penal Code
of the State of New
York. ^{Deposant charges the defendants} for the reasons that at about
the hour of half past twelve
o'clock in the morning of said
day a fire occurred in said
premises which is a dwelling
house and which was occupied
by Frederick Schuler and Adolphe
Dordt. Deposant has made in-
vestigation of the origin of the
fire ^{and} discovered that it was done
wilfully and with intent to burn
and destroy said building. Deposant
from various sources obtained
information sufficient to direct
a suspicion that said act was
committed by the defendants ^{and} ^{then}
upon caused the defendants arrest
~~and~~ who, upon being informed
of said suspicion ~~and~~ in the
presence of Captain Thomas M.
Ryan, of the 5th Precinct, act know

0036

legged and confess that he did set
fire to said building with intent
to burn said building.

Sworn to before me
this 1st October, 1890

Jas. M. Metchell

J. P. Philbrick
Police Justice

Police Court, _____ District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated _____ 189

Magistrate.

Officer.

Witness.

Disposition.

0037

Sec. 198-200.

24 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK.

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

Question. What is your name.

Answer.

William Pfunder

Question. How old are you?

Answer.

18 years old

Question. Where were you born?

Answer.

Germany

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

Answer.

No 733 Second Avenue, Four months

Question. What is your business or profession?

Answer.

Butcher

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

William Pfunder

Taken before me this

day of

Oct

188

J. H. M. M. M.
Police Justice.

0038

BAILED.

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Police Court--- 4 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

James Mitchell
William J. Under

Offence Arson
First Degree

Dated

October 1st 1890

Residence

Magistrate

Residence

Magistrate

Residence

Magistrate

Residence

Magistrate

Residence

Magistrate

Residence

Magistrate

Residence

Magistrate

Residence

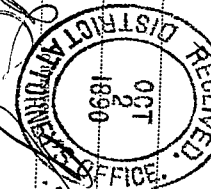
Magistrate

Residence

Magistrate

Residence

Magistrate



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

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

Dated October 1st 1890 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0039

District Attorney's Office.

PEOPLE

vs.

Ofundin.

*Further call
on Monday
calendar the
19th inst.*

D.A.

To the Chief Clerk

Part 2 of 3

0040

District Attorney's Office.

PEOPLE

vs.

Wm. J. Hunter

Indicted for Reason

*Mr. Hunter makes
no application
contained in the
accompanying
paper. Please
Examine at once
report.*

Stanley Mead

0041

**POOR QUALITY
ORIGINAL**

District Attorneys Office.
City & County of
New York.

The People etc }
@
Wm Plunder }

I have carefully examined this case and am satisfied that the Prisoner has degenerated to a very low order. The evidence in the case clearly shows that he does not ~~even~~ appreciate the enormity of the crime of which he is guilty. No motive is ascribed for its commission, and the Warden Marshal states that he is unable to learn of or assign any. He is doubtless insane to some extent upon the subject of "fine". I think it would be well to adopt the suggestion made by Dr. Fild who examined the mental & physical condition of the prisoner viz: that he be sent to the Elmira Reformatory. The Warden Marshal also states that in his judgment such a disposition of this case would be a wise one.

Wm T. M. Intype
Depy Dist Atty

July 14. 1891

0042

POOR QUALITY
ORIGINAL

The People

vs.
Rfunder

Mr. W. F. Fugate's report
concerning the within
case.

A. & C. Steckler

New York, Jan. 3rd. 1891

Gentlemen:

I have carefully examined William Pfunder Jr now confined in the City Prison, charged with arson. I find him to be of the defective class, both physically and mentally. His physique is poor, his circulation sluggish, there is marked a symmetry of face and head. He is mentally feeble and has degenerated to a considerable degree. He is incapable of abstract reasoning to any extent. He has no realization or appreciation of the crime that he has committed and cannot be made to comprehend it. His condition is complicated by the vice of masturbation. I do not believe that he is capable of appreciating the nature of the crime of which he is charged, or of aiding his counsel in the formation of a defense, if he has any. I have given much thought to his case, and to the class to which he belongs. If I may be permitted, I would like to recommend through you to his parents and to the Court that this boy be committed to the Elmira Reformatory. While he could be committed to a State Asylum under our present laws, I do not believe that their system of treatment would particularly benefit him. The systematic course of physical training, labor and discipline now in practice at the Reformatory does more for this class of cases than any other institution in this State, if not in the World. If sent to either a Prison or an Asylum I think he would continue to degenerate and become a permanent charge upon the State. Under the Reformatory system I think there is a fair chance that he might become a useful member of society.

Respectfully Submitted,

Matthew D. Field
M.D.

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

William Q. Zunder

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

indictment, accuse *William Q. Zunder*

of the crime of *Arson in the first degree,*

committed as follows:

The said *William Q. Zunder*,

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

Twenty fifth day of *September*, in the year of our Lord one thousand
eight hundred and ninety _____, at the City and County aforesaid,

in the night time of the same day, the
dwelling house of one Frederick Schuler,
there situate, there being then and there
some person being within the said

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dwelling house, feloniously, illegally and
maliciously did set on fire and burn,
against the peace of the People of the
State of New York, and their dignity, and
against the form of the Statute in such
case made and provided.

John S. Searns,

~~Attorney~~