

00 10

**BOX:**

415

**FOLDER:**

3830

**DESCRIPTION:**

Pakulski, Bernard

**DATE:**

10/14/90



3830

0011

92

Witnesses;

Elias Benjamin  
Jas Brady  
71 percent

Counsel,

Filed *J. H. Oct* 1890

Pleads, *Not guilty*

THE PEOPLE

vs.

*P*

Bernard Pakulski

*Burglary in the second degree,  
and Petit Larceny;  
[Section 497, 506, 528 and 532]*

*odd Bay* JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*Andrus Little*

*Oct. 17/90* Foreman.

*Found & convicted*

*P. I.*

*Pen one yr*  
*Oct 21/90*

21

479 /

The People  
 v.  
 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 chair  
 against the door. Then I heard somebody  
 pushing open the door and the chair 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? <sup>yes,</sup>  
 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 11<sup>th</sup> precinct. Did you arrest this defendant on the 3<sup>d</sup> 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 a nest 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 of New York, ss.:

Elias Benjamin

of No. 262 Broome Street, aged 30 years, occupation Tailor being duly sworn

deposes and says, that the premises No 262 Broome Street, 10th Ward

in the City and County aforesaid the said being a five story tenement building, the fifth floor of

and which was occupied by deponent as a dwelling apartment and tailor shop and in which there was at the time a human being, by name deponent

were BURGLARIOUSLY entered by means of forcibly opening the door leading to said premises

on 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 dollars

the property of deponent and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property taken, stolen and carried away by Bernard Parkulsky (now here)

for the reasons following, to wit: Deponent says - that he noticed the door leading to his rooms 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



0019

Sec. 198-200.

3- District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Bernard Pakulsky* 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'm; that the statement is designed to  
enable h'm if he see fit to answer the charge and explain the facts alleged against h'm  
that he is at liberty to waive making a statement, and that h's waiver cannot be used  
against h'm 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. *Poster*

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]*  
Justice

0020

Police Court... 3-1576 District

THE PEOPLE, &c.  
ON THE COMPLAINT OF

Oliver Stearns  
262 23<sup>rd</sup> Avenue  
Edward Parkhurst

Offence: Burglary

Dated: Oct 3 - 1890

James Dwyer  
Magistrate  
11<sup>th</sup> Precinct

Witnesses: \_\_\_\_\_  
Street, \_\_\_\_\_

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street, \_\_\_\_\_

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street, \_\_\_\_\_

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street, \_\_\_\_\_

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street, \_\_\_\_\_

BAILED,



No. 10076 to answer  
Street, \_\_\_\_\_

Com

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 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 Parauldai*

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

*Bernard Parauldai*

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

The said *Bernard Parauldai*,

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 *Mrs Benjamin*,

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

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

of the CRIME OF  *Petit* LARCENY, —

committed as follows:

The said *Bernard Paraulski,*

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. Mellows,*  
*District Attorney*

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 afore-  
said, 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.

92

Witnesses:

Elis Benjamin  
Jas Brady  
H. percent

Counsel,  
Filed *[Signature]* (day of) *Oct* 18 *90*  
Pleads, *Not Guilty*

THE PEOPLE

vs.

*P*

Bernard Pakulski

*Burglary in the second degree,  
and 2nd degree.*  
[Section 47, 506, 528 and 537]

JOHN R. FELLOWS,  
*odd days* District Attorney.

A True Bill.

*Arthur Little*  
*Oct. 17/90* Foreman.

*True & convicted*  
*P.I.*

*Pen one up*  
*Oct 21/90*

21

0025

**BOX:**

415

**FOLDER:**

3830

**DESCRIPTION:**

Pettersen, Jens

**DATE:**

10/09/90



3830

0026

Witnesses;

*W. G. Walker*

*H. Bannig*

Counsel,

Filed

day of

18

Pleads,

*Arthur*

*9 Oct 90*

THE PEOPLE

vs.

*Jens Pettersen*

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

*456-340  
Prof. Pettersen*

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Andrew Little*  
*Oct 9/90* Foreman.

*Edward Smith*  
*Elmer Ref.*

0027

Police Court— 14<sup>th</sup> District.

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

William G. Walker

of No. 456 Third Avenue Street, aged 25 years,

occupation Plumber & gasfitter being duly sworn

deposes and says, that on the 4<sup>th</sup> day of October 1890 at the City of New

York, in the County of New York, Depoant is informed by Police

Office James Barry of the 27<sup>th</sup> Precinct Office that

he was violently and feloniously ASSAULTED and BEATEN by

Peterson (now here), who cut and

stabbed depoant in the left side

of the face with a knife which

he then and there held in his

hand. Depoant further says

that such assault was committed

[Large handwritten flourish or signature scribble]

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 5<sup>th</sup> day }  
of October 1890 } W. G. Walker

W. J. Mahon Police Justice.

0028

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James Barry*  
at *57* years, occupation *Police Officer* of *No.*  
*The 21<sup>st</sup> 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 *5<sup>th</sup>*  
day of *October* 18*90* } *James Barry*

*W. J. McMahon*  
Police Justice.

0029

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*James Peterson* 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. *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. Two weeks*

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 *5*  
day of *April*  
188*9*,  
*H. J. McInnis*  
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 1513

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

*Mary Macken*  
 456 W. 3rd Ave.  
*James Ostrom*

Offence *Assault*  
*Felony*

Dated

*Oct 5 1890*

*W. M. Johnson* Magistrate

*James Ostrom* Officer

Witnesses

*Miss O'Brien* Precinct

*By Ostrom* Street



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

to his use

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

*Defendant*

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

Dated *Oct 5* 18*90* *W. M. Johnson* 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

*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

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

*3* *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 wrongfully 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. W. D. Taylor filed herewith, I recommend the acceptance of plea of Arson in 2<sup>nd</sup> Degree.

Jan 23, 1891

W. M. Davis  
Asst.

I concur in the above

Jan 23/91

J. Mitchell  
The Marshal

Counsel, Purdy & MacLaughlin

Filed 3 day of Oct 1890

Pleas, Not guilty to the  
Dependant of being Arson at the  
Act of THE PEOPLE  
as a Perpetration

18  
Rockville, Md.  
for Government

William D. Spinder

Arson, first degree  
Sec. 486, Penal Code

JOHN R. FELLOWS,

District Attorney.

Oct 27 90

A TRUE BILL.

Sent for the Marshal  
Jan. 22, 1891, v. D.

W. M. Taylor  
Foreman.

Part 2 - Jan. 23/91  
Pleas Arson 2<sup>nd</sup> degree

Elmer R. J.

POOR QUALITY  
ORIGINAL

0035

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

Police Court, 4 District.

of No. 159 East 67 Street, being duly sworn, deposes and

says, that on the 26<sup>th</sup> 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 Section 486 of the Penal Code of the State of New York. Deponent 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 Schueler and Adolphe Dordt. Deponent has made investigation of the origin of the fire and discovered that it was done wilfully and with intent to burn and destroy said building. Deponent from various sources obtained information sufficient to direct a suspicion that said act was committed by the defendants and upon caused the defendants arrest and who, upon being informed of said suspicion, were in the presence of Captain Thomas M. Ryan, of the 5<sup>th</sup> Precinct, who



0037

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*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. *Catcher*

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. ...*  
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. 1498

THE PEOPLE, Ac.,  
ON THE COMPLAINT OF

Josias Mitchell  
vs.  
William Fowler

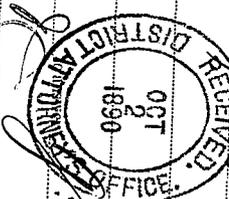
Offence Arson  
First Degree

Dated October 1<sup>st</sup> 1890

Magistrate  
Capt. Thomas Ryan

Witnesses  
Capt. Thomas Ryan  
No. 21 Precinct

No. 157152  
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 \_\_\_\_\_

*Sifundant*

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 1<sup>st</sup>* 1890 *J. H. ...* 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 h to be discharged.

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

District Attorney's Office.

PEOPLE

vs.

*Ofundra.*

*Put this case  
on Monday  
calendar the  
19<sup>th</sup> inst.*

*D.A.*

*To the Chief Clerk*

*Part 2 or 3*

0040

District Attorney's Office.

PEOPLE

vs.

*Wm. Spaulding*

*Subscribed for Reason*

*Mr. Fletcher makes  
no objection  
contained in the  
accompanying  
paper. Please  
examine at once  
report.*

*Chauncey Mead*

0041

POOR QUALITY ORIGINAL

District Attorneys Office.  
City & County of  
New York.

The People etc }  
@  
Wm Pfunder }

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 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. Field who examined the mental & physical condition of the prisoner viz: that he be sent to the Elmira Reformatory. The Warden also states that in his judgment such a disposition of this case would be a wise one.

John P. M. Antep  
Deputy Dist. Atty.

July 14. 1891

0042

**POOR QUALITY  
ORIGINAL**

The People

vs.

Reveries

Mr. W. Fulmer's report  
concerning the witness  
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.

0044

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. Under*

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

indictment, accuse *William Q. Under*

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

committed as follows:

The said *William Q. Under,*

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

*twelfth* 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 human being within the said*

and fully aware, and intentionally, 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. ...

~~John S. ...~~