

0690

BOX:

331

FOLDER:

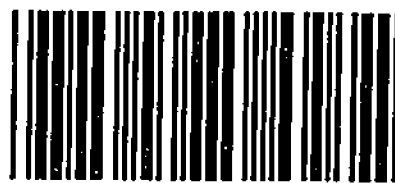
3139

DESCRIPTION:

Baker, Carrie

DATE:

12/12/88



3139

0691

224, ~~87 Dec 1888~~

Counsel, *Dec 1888*
Filed *12* day of
Pleads, *not guilty (17)*

THE PEOPLE
vs.
M. H. 3rd
117 H 3rd
B.B.
Carrie Baker
KEEPING A HOUSE OF IL FAME, Etc.
[Sections 322 and 385, Penal Code]

JOHN R. FELLOWS,

72 Dec 24/88 District Attorney.

finds guilty
Fine \$250.
ya
A True Bill.

Wm. Wadsworth

Foreman.

Part 2 Dec 29th
11.2.8

Witness:
Cora Lee

John R. Fellows
173 Hester St.
Witness Cora Lee - F
Bailed by
Frederick Rabba

0692

2 DISTRICT POLICE COURT.

THE PEOPLE,
ON COMPLAINT OF
Cora Lee
vs.
Carrie Baker

Examination had *Nov 15* 188*8*
Before *Patrick G. Duffy* Police Justice.

I, *Watson L. Embury* Stenographer of the *2* District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of *Cora Lee, Defendant*
Coombs

as taken by me on the above examination before said Justice.

Dated *Nov 15* 188*8*

Patrick G. Duffy
Police Justice.

W. L. Embury
Stenographer.

0693

Police Court
Second Dist

The People vs
Cora Lee
Carrie Baker

Examination Before Justice Duff

Cora Lee the complaining witness, being
further examined by the court before
and says: I live at 117 West
32nd Street.

Q What is your business?

A I decline to answer.

Q You were arrested and brought
here the other day.

A Yes Sir.

Q What for?

A Intoxication.

Q Where were you arrested?

A I could not tell where I
was.

Q On the street?

A Out on the street.

Q How long did I give you for

being interested:

A You gave me three months

2 The officer made a serious charge against you

A Yes Sir

2 After you were committed a man told me - word was brought to me by a party that you were not as bad as the officer represented you.

A That was my first time.

2 I sent for you and you told me that you were an inmate of a house of prostitution for eighteen months did you not?

A Yes Sir

2 And you told me the names of a number of the inmates - girls?

A Yes.

2 You told me also that you were from St. John New Brunswick

A Yes Sir

2 That you were in a convent

there

2 And that you ran away from school

A - Ran away from home.

2 From home?

A - A lady brought me over here to enter a convent.

2 You told me that you met a colored woman and she asked you to this house.

A - She showed me where it was - told me where it was.

2 And you were there 18 months?

A - Yes.

2 And you told me that you made \$25 or \$30 in one night.

A - Some nights.

2 And you lent the madam all the money?

A - Yes.

2 And she charged you \$25 a week board?

3 A - With the room money

2 - This girl is not a willing witness. In answer to my questions she said that she had witnessed the most bestial things in that house. I am opposed to bestiality. Do you know these twelve girls here?

A Every one of them

2 What are their names?

A [Indicating] There is Gerlie, Minnie, Clara, May Blanche and that is Mrs. Carrie the madam. I know the others.

2 You were in there 18 months

A Yes Sir.

2 You know it is a house of prostitution?

A Yes Sir.

2 And you prostituted yourself there

A Yes Sir

2 You occupied it as your home?

A Yes Sir.

(No cross examination)

Sergeant Coombs of the court squad
being duly sworn and examined
by the court deposes and says:-
I made this arrest

2 How many men did you
take?

A Five.

2 And they walked in there?

A Yes Sir.

2 What were these defendants
doing?

A In bed.

2 All?

A Yes Sir.

2 What was the woman doing?

A She was in bed.

Mr. Culland Counsel for Defendants
I will ask the court if there
is any other evidence?

The Court - The presence of these
5 women is corroboration already

Mr. Mr. Clelland Your Honor has
 not put any evidence that this
 is a house of prostitution. The
 only evidence you have is that
 of an accomplice - that of
 a single woman of this place.
 You do not know that these
 women are prostitutes. I ask
 that all the evidence in this case
 be read upon the record of
 this court. all the evidence that
 it is claimed shows this to be
 a house of prostitution and that
 is relied upon to show that this
 defendant was guilty of keeping
 and maintaining a house of
 prostitution. I call your
 Honor attention to the fact
 that these defendants stand
 on their rights; that they will
 not be examined as witnesses;
 that they stand on their rights
 and are represented by counsel.
 Your Honor may by the exercise
 of authority commit them, but

your Honor has no jurisdiction
under our law as the case stands
I do not propose to take your
Honor's time I merely call your
attention to the law. Section
399 of the code is very plain
There must be some corroboration.
There is no corroboration here,
no evidence but that of this
one self accused accomplice.
Your Honor should not exercise
a power that is not conferred
upon the trial court. The
affidavit charges that one of
these defendants kept and
maintained a house of prostitution
all you have is the testimony
of this woman who, I understand
is smarting under some fancied
wrong.

The witness - There has never been
any wrong done to me. none
whatever.

2 I suppose you made the
charge from the purest motives?

A Because I thought it was right.

Mr. H. Clarend - If your Honor sees fit you can commit all these persons, but I insist that the evidence of this one girl is not sufficient. There is no proof of any disorderly act. The sergeant found them all in bed. There is no evidence except that of this questionable character. The authorities are agreed that such evidence as you have seen is not sufficient.

The Court - I am sitting here as a committing magistrate simply to ascertain whether there is probable cause to believe that a crime has been committed. I am not bound by the strict laws of evidence as is required in a trial court. This witness was arrested for disorderly conduct

in the street and she had a revolver in her hand. I am sitting here as a committing magistrate and it is for me to say whether there is probable cause to hold these people as disorderly persons. This witness makes affidavit that she was in the house at month I issued this warrant. and these people were brought here.

Mr. M. Clelland - Will your Honor commit these people on the uncorroborated testimony of this girl

The Court - She is held as a witness against your client. These girls are fined ten dollars each instead of giving them six months each as I might. They might be held on a grave charge. The defendant Carrie Baker will be held to answer.

0702

Sec. 322, Penal Code.

District Police Court.

CITY AND COUNTY {
OF NEW YORK. } ss.

For a Leg House Detention
~~or No.~~ *Now an inmate of Jefferson Market Prison* Street, in said City, being duly sworn says
that at the premises known as Number *117 and 119 west 32nd* Street,
in the City and County of New York, on the *1st* day of *January* 188*8*, and on divers
other days and times, between that day and the day of making this complaint *1st October 1888*
Carrie Baker

did unlawfully keep and maintain and yet continue to keep and maintain a *House*
of prostitution and did then, and on the said other days and times, there unlawfully procure
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil
name and fame there to be and remain drinking, dancing, fighting, disturbing the peace, whoring and misbehaving
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and
there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said *Carrie Baker*
and all vile, disorderly and improper persons found upon the premises, occupied by said

Carrie Baker
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this *14*
day of *November* 188*8*.

J. M. Duffy
Police Justice.

Cora Lea

0703

W
Police Court— *2* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Lora Lee
vs.

Harri Baker

AFFIDAVIT—Keeping Disorderly House, &c.

Dated *Nov. 14* 188 *8*

W. H. H. H. Justice.

Officer.

Precinct.

WITNESSES :

0704

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK }

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

Question. What is your name?

Answer. *Carrie Baker*

Question. How old are you?

Answer. *28 Years*

Question. Where were you born?

Answer. *New York*

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

Answer. *117 & 119 West 32 St 15 months*

Question. What is your business or profession?

Answer. *Boarding house keeper*

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 charge and demand a trial by jury
Carrie Baker

Taken before me this

*14*day of *November* 1888

Wm. D. Smith
Police Justice

0705

Sec. 151.

Police Court 2 District.

CITY AND COUNTY OF NEW YORK, { ss. *In the name of the People of the State of New York ; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:*

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 George A. Keefe, market agent, of No. 117 and 119 West 32nd Street, that on the 1st day of October 1888, at the City of New York, in the County of New York, Carrie Baker did keep and maintain at the premises known as Number 5 House of prostitution Street, in said City, a House of prostitution and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking, dancing, fighting, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

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 each and every of you, to apprehend the body of the said

Carrie Baker and all vile, disorderly and improper persons found upon the premises occupied by said Carrie Baker and forthwith bring them before me, at the 2nd 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 11th day of October 1888.

[Signature]
POLICE JUSTICE.

0706

1145 A.M. 28. M. N. J. Boarding House S. No 112-118 M 32 Just

The within named

having been brought before me under this Warrant, is committed for examination to the
WARDEN and KEEPER of the City Prison of the City of New York.

Dated _____ 188

Police Justice.

Police Court—2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Carrie Baker

Carrie Baker

WARRANT—Keeping Disorderly House, &c.

Dated November 14 1888

Calvin H. Duffy Magistrate.

Joseph M. Lankin Officer.

2. Dist. Court

The Defendant Carrie Baker

taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

Joseph M. Lankin Officer.

Dated November 14 1888

This Warrant may be executed on Sunday or
at night.

Police Justice.

0707

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 Nov 14 188 J. P. Keefe Police Justice.

I have admitted the above-named.....

to bail to answer by the undertaking hereto annexed.

Dated Nov 15 188 J. P. Keefe Police Justice.

There being no sufficient cause to believe the within named.....

.....guilty of the offence within mentioned. I order h to be discharged.

Dated.....188.....Police Justice.

0708

BAILED,

No. 1 by *Paul D. Dugan*

Residence *415 7th Ave* Street.

No. 2 by *William E. Seitz*

Residence *310 East 82nd* Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court---

1789 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Cora Lee

Carrie Baker

2 _____

3 _____

4 _____

*Office Keeping
Disorderly House*

Dated *Nov. 14* 188*9*

Duffy Magistrate.

Sergeant Comb Officer.

Court Precinct.

Witnesses *Cora Lee*

No. *Committed to the* Street.

House of Detention

No. *in default of* Street.

\$100 bail to testify

No. _____ Street.

\$ *1000* to answer _____

Com *Baker*

0709

DR. D. H. AGAN.

363 BROOME STREET,

Gram.

Centi.

R

Mrs Baker is suffering from
vertigo and vomiting - which I
fear is due to kidney trouble
and to make further examination
and will report - she should
remain in bed. Dr. Agan

0710

TORN PAGE

COUNTY OF NEW YORK, ss.

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

An indictment having been found on the 13th day of December
1888, in the Court of General Sessions of the Peace, of the County of
New York, charging Carrie Baker

with the crime of Keeping a House of Ill Fame

Baker You are therefore Commanded forthwith to arrest the above named Carrie
Baker and bring him before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the
City Prison of the City of New York, or if he require it, that you take him before any Magistrate
in that County, or in the County in which you arrest him, that he may give bail to answer the
indictment.

City of New York, the 13th day of December 1888

By order of the Court,

0711

N. Y. General Sessions of the Peace

**THE PEOPLE
OF THE STATE OF NEW YORK,**

against

Carrie Baker

Bench Warrant for Misdemeanor.

Issued December 13^d 1888

☒ The defendant is to be admitted to bail
in the sum of.....dollars.

07 12

GRAND JURY OF THE
Court of General Sessions.

THE PEOPLE

vs.

Carrie Baker

COMPLAINT.

For

To *Frederick Rabba*
173 Wester St

You are bound for the appearance of one *Lora Lee*
as a witness against the above-named defendant. This is to notify you that the
complaint against said defendant will be placed before the Grand Jury of the Court
of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New
Court House in the Park of the said City, on *Tuesday* the
17 day of *Dec* instant, at eleven o'clock in the forenoon.

If the witness is not produced at that time, your bond will be forfeited.

~~BENJAMIN K. DUFFERS~~

~~DANIEL C. ROLLINS~~ District Attorney.

JOHN R. FELLOWS,

0713

Forfeit
this Bail
Bondsmen
reports that
he does
not know
of the where-
abouts of
the witness

Dec 11/
Burgess

0714

Dec 13th 88
This is to certify that
James Baker is unable
to leave his room to
day on account of
sickness. Some cough
and and ^{one cough} hysteric eruption
lung trouble, with
some elevation of temperature
Paul. Ostrander M.D.
39 West 32nd St
Sworn to Before me
this 13th day of Dec 1888
John J. Hayes
Notary Public N.Y.C.

0716

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Carrie Baker

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

Carrie Baker

(Sec. 322,
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL-FAME, committed as follows:

The said

Carrie Baker

late of the *20th* Ward of the City of New York, in the County of New York aforesaid, on the *first* day of *October* in the year of our Lord one thousand eight hundred and eighty-eight, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

Carrie Baker

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, 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

Carrie Baker

(Section 385,
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said

Carrie Baker

late of the Ward, City and County aforesaid, afterwards, to wit: on the *first* day of *October* in the year of our Lord one thousand eight hundred

and eighty-*eight*, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in *her* said house, for *her* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, 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

Carrie Baker

(Section 322 of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:
Penal Code.)

The said

Carrie Baker

late of the Ward, City and County aforesaid, afterwards, to wit: on the *first* day of *October* in the year of our Lord one thousand eight hundred and eighty-*eight* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *her* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in *her* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, 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.

0718

BOX:

331

FOLDER:

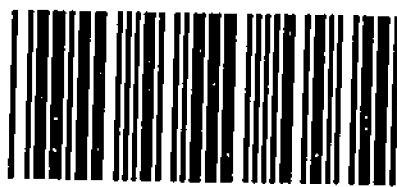
3139

DESCRIPTION:

Barrett, Michael

DATE:

12/11/88



3139

Witnesses:

Wm. L. Lamm

121

Counsel,
Filed, 11 day of Dec 1888
Pleads, *Chattel*

THE PEOPLE,

vs.

VIOLATION OF EXCISE LAW

(Keeping Open on Sunday.)
[III Rev. Stat. (7th Edition), Page 1889, Sec. 5.]

B

Michael Barrett

JOHN R. FELLOWS.

District Attorney.

A True Bill.

Wm. Woodruff

*Complaint sent to the Courtroom.
of Special Sessions,*

Part III, Dec. 13, 1888.

0719

0720

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Michael Barrett

The Grand Jury of the City and County of New York, by this indictment, accuse *Michael Barrett* of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES ALE AND BEER, committed as follows:

The said

Michael Barrett

late of the City of New York, in the County of New York aforesaid, on the *twenty sixth* day of *August* in the year of our Lord one thousand eight hundred and eighty-*eight*, the same being the first day of the week, commonly called and known as *Sunday*, being then and there in charge of, and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid, unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure, and suffer and permit to be open, and to remain open, 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.

0721

BOX:

331

FOLDER:

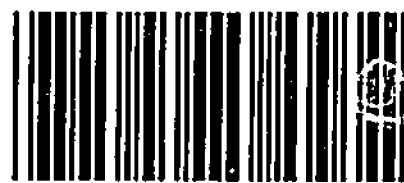
3139

DESCRIPTION:

Bernhardt, Herman

DATE:

12/14/88



3139

Witnesses: J. Michaels

A. M. C.

264 Butternut

Counsel, _____
Filed 14 day of Dec 188____
Pleads, Christy 17

THE PEOPLE

69
209

Herman Bernhard

Grand Larceny, 2nd degree.
(False Pretenses).
[Section 528, and 534, Penal Code].

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Attest
My hand and seal
this 10th day of June 1901

Part III Foreman.
January 1899
Leads Guild, S. L. 2nd deg
S. L. Three years.

0723

Police Court—3 District.

Affidavit—Larceny.

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

of No. 306 East 75th Street, aged 28 years,
 occupation Shoemaker being duly sworn
 deposes and says, that on the 6th day of September 1888 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:

Gold and Lawful Money of the
United States amounting to
forty dollars.

\$40.00

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 Herbert Bernhardt (now here)

And another man who is now arrested

And in prison in Brooklyn New York

state for the following reasons to wit:

That on the above-mentioned date
 About the hour of 10 o'clock in the forenoon
 the said Bernhardt and the said
 Bennett each and severally represented
 to deponent that they had some
 jewelry to sell. Consisting of one
 pair of ear-rings one bracelet and one
 finger ring which were worth altogether
 about three hundred dollars. That the
 said Bernhardt told deponent to give
 the said Bennett any money he wanted.

0724

for the jewelry before described, and that
the said Bernhardt would give to
deponent whatever money he the said Bennett
paid to deponent.

That deponent believing the
representations so made to him to be true
gave to said Bennett forty dollars.

That deponent ^{was} subsequently
informed that said jewelry was worth only
~~twenty five~~ ^{two} dollars.

Therefore deponent
charges said Bernhardt and said
Bennett acting in concert together
with the Larceny as aforesaid.

Sworn to before me
this 3rd day of December 1888 Franz Weinke
J. G. W. J.
Police Justice.

Dated 1888 Police Justice.

guilty of the offence within mentioned, I order he to be discharged.

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

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

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

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

Offence—LARCENY.

1
2
3
4

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street.

No. Street.

No. Street.

to answer Sessions.

0725

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Herman Bernhardt 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.

Herman Bernhardt

Question. How old are you?

Answer.

49 years

Question. Where were you born?

Answer.

Germany.

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

Answer.

109 Essex street And one month.

Question. What is your business or profession?

Answer.

Cigar maker

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

Answer.

I am not guilty.
Herman Bernhardt

Taken before me this

day of

December 1888

Police Justice.

0726

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 3rd DISTRICT.

John McCanley
of No. The Central Office Street, aged 37 years,
occupation Detective being duly sworn deposes and says,
that on the 28 day of November 188

at the City of New York, in the County of New York, Dependent Arrested
Herman Bernhard (now here) on the
Complaint of Frank Michels of No
306 East 35th Street on a charge of
Grand Larceny selling said Michels
Fogus Diamonds

Wherefore Dependent prays that said
defendants may be held for examination
in order to enable dependent to procure
sufficient evidence

John McCanley

Sworn to before me this 27 day of November 188

Police Justice.

0727

133 3
Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John McCauley
vs.
William Bernhard

AFFIDAVIT.

Grand Jurors

Dated 10/30/188

J. M. McCauley
Magistrate.

W. M. McCauley
Officer.

Witness,

The Justice presiding
at the 2nd Dist Court
in my absence will
hear and determine
the within case

Disposition,

Rem for Ex
Rec 3rd - 2nd PM

J. M. McCauley
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..... Defendant

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

Dated Dec. 34 188 J. H. Duffy Police Justice.

Dated Dec. 34 188 J. H. Duffy Police Justice.

Dated Dec. 34 188 J. H. Duffy Police Justice.

Dated Dec. 34 188 J. H. Duffy Police Justice.

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

Dated.....188.....*Police Justice.*

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

Dated.....188.....*Police Justice.*

0729

Police Court---

1898 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Frank Offenberg
61 East 125 St
Manhattan

Offence

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Date

December 3

1888.

Magistrate.

Officer.

Precinct.

Witnesses

James on 2nd ave
between 117 & 118

No.

Street.

No.

Arthur Kishish

Street.

No.

Street.

\$

to answer

0730

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST

Herman Bernhard

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

Herman Bernhard

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

The said *Herman Bernhard*,

late of the City of New York, in the County of New York aforesaid, on the *ninth*
day of *September*, in the year of our Lord one thousand eight hundred and
eighty *ninth*, at the City and County aforesaid, with force and arms, with intent to
deprive and defraud *one Frank Mitchell*

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*
Frank Mitchell,

That *certain jewelry consisting*
of one pair of earrings, one
lace pin and one finger ring
which he the said Herman
Bernhardt then and there
produced and delivered to the
said Frank Mitchell, as gold,
and was of the value together
of about three hundred dollars.

0731

And the said

Frank Nichols

then and ^{there} ~~their~~ believing the said false and fraudulent pretenses and representations so made as aforesaid by the said Herman Bernhard

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said

Herman Bernhard, the sum of Twenty dollars, in money of lawful money of the United States, and of the value of Twenty dollars,

of the proper moneys, goods, chattels and personal property of the said Frank Nichols

And the said Herman Bernhard did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and personal property, from the possession of the said Frank Nichols,

by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said Frank Nichols

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 ignominy which he the said Herman Bernhard was aforesaid to and there produced and delivered to the

0732

said Frank Michels, was not
gold, and was not of the value
together of four hundred
dollars, or of any like sum but
was in fact of little value

And Whereas, in truth and in fact, the pretenses and representations so made
as aforesaid by the said Werner Bernhard
to the said Frank Michels was and were

then and there in all respects utterly false and untrue, as he the said
Werner Bernhard
at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said
Werner Bernhard
in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods,
chattels and personal property of the said Frank Michels

then and there feloniously did STEAL, against the form of the Statute in such case made and
provided, and against the peace and dignity of the said people.

JOHN R. FELLOWS,

District Attorney.

0733

BOX:

331

FOLDER:

3139

DESCRIPTION:

Bernstein, Solomon

DATE:

12/10/88



3139

Witnesses:

Wacey Stephens
Off. Sec'y

I think this is a proper
case in which to accept
a plea of attempt, as
manifestly in the third degree
murder.
J. W. Goff
with Dick Catty

Monday 97.
Counsel, 10 Dec
Filed day of
Pleads, Chicago

1888

THE PEOPLE

30
1911
Chicago

P

Solomon Bernstein

Burglary in the Third Degree
(Section 498, 506 Penal Code.)

JOHN R. FELLOWS,

District Attorney.

Dec 14 1888

A True Bill.

Wm. M. M. M.
Foreman.

Part II December 21/88
Pleads Atty. Gen. 31 day

S.P. 2 yrs.

0734

0735

Police Court—.....District.

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

of No. 175 Attorney
occupation. Housekeeper

Mary Evans
Street, aged 66 years,
being duly sworn

deposes and says, that the premises No. 175-Attorney Street, 11 Ward
in the City and County aforesaid the said, being a four story tenement
house and the fourth floor
which was occupied by deponent as her private apartments
and in which there was at the time a human being, ~~and~~

were **BURGLARIOUSLY** entered by means of forcibly forcing of a
 back of a door from the hall
 leading into Alfonso's Apartment

on the 4 day of December 1888 in the day time, and the following property feloniously taken, stolen, and carried away, viz:

A Quantity of Wearing apparel
of the Value of one Hundred
Dollars

the property of the parent
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

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

Thomen Bernstein
Quirker

for the reasons following, to wit:

for the reasons following, to wit: That about the hour of one o'clock aforesaid discovered the defendant on the stairs coming from defendant's apartment and her apartment door was broken open. Defendant therefore charges the said defendant with being seriously breaking into her rooms with the intent to steal the above mentioned property.

0736

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

Solomon Bernstein 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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.

Taken before me this
day of *Dec* 1938

[Signature]
Police Justice.

0737

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 Alfred

Leu 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 Dec 4 188 J. H. Duffy Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0738

Police Court---

1887 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Ross Swans
1757 Attorney at
1 John Bernstien

1
2
3
4

Office
Swans

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *Dec 4* 1887

Henry Magistrate.

Wm. J. Kelly Officer.

X3 Precinct.

Witnesses *Call in Officer*

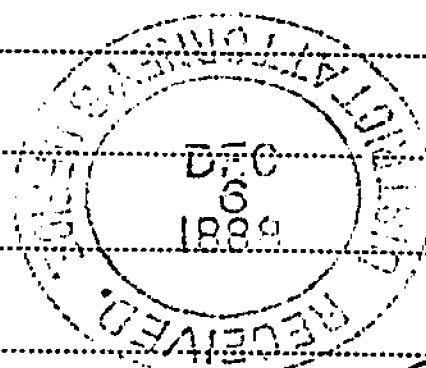
No. Street.

No. Street.

No. Street.

\$ *10.00* to answer *G.S.*

Swans



0739

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Solomon Bernstein.

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

Solomon Bernstein

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

The said

Solomon Bernstein

late of the *eleventh* Ward of the City of New York, in the County of New York
aforesaid, on the *fourth* day of *December* in the year of our Lord one
thousand eight hundred and eighty-*eight*, with force and arms, in the
day time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one

Roscy Straus

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 *Roscy Straus*

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.

John R. Fellows,
District Attorney.

0740

BOX:

331

FOLDER:

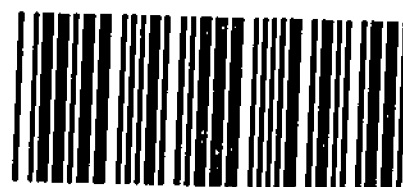
3139

DESCRIPTION:

Bird, James

DATE:

12/10/88



3139

0741

Witnesses,

Cyrus Chasler

Bailed in \$1000

by Joseph H. Tompkins

Joseph H. Tompkins

R. D.

Upon investigation
find that the plea of
the Statute of Limitations
filed by defendant in
this case must be sustained
and on that ground
no other recommendation
The clearance of the
indictment

Chasler & Dawson
R. D. J.

Bail and money \$1000

Counsel,

Filed

Pleads,

10 Dec

188

THE PEOPLE

vs.

B

James Bird

[Section — 96 — Penal Code.]

JOHN R. FELLOWS

Special District Attorney.

Quilley

True Bill.

Wm. Madson

Foreman.

Quilley, J. J. 9. 5. 89 by

Quilley, J. J. 9. 5. 89 by

Quilley, J. J. 9. 5. 89 by

PHILLIPS & MOWER, 82 NASSAU ST., N. Y.

Grand Jury

The People

23

James Bird

BEFORE

Dec, 1887

WITNESSES.

Direct.

Cross.

Re-Direct.

Re-Cross.

BEFORE THE GRAND JURY.

-----:
:
In The Matter of the Complaint :
:
Of Cyrus Thompson against :
:
James Bird, for Perjury. :
:
-----:
.....:

Decr. 1888

T
Cyrus Thompson sworn.

Examined by Foreman Woodruff.

Q. You charge this man with committing perjury?

A. Yes sir; my uncle and myself.

Q. What perjury did he commit?

A. In swearing that my uncle's property was his.

My grandfather died in 1874, and willed my uncle \$30,000 worth of property, as well as eight or nine other lots about the same value each; and about two hours after he died this James Bird who was brother-in-law of my father's drove over to White Plains and put on record a deed executed in 1867, and which had been kept secret, of the homestead in Tarrytown which was sold to my father, and which he had built a house that cost \$6,000; and then on the day after the death when the will was read my uncle was deposed from executorship in the codocil, and that suit lasted for nine years. My uncle who was

0744

2.

an engineer and what you might call a crank got my brother-in-law to take charge of the property during the litigation. They got him up to Tarrytown or Peekskill, and there he signed trustee papers, and then nothing was done for nine years. Finally it was settled by promise of judgment; this devise was sustained by the will and that fraudulent deed was set aside; then I was substituted in his place and authority was given to me to deliver to the heirs the property devised to the various legatees. I took possession of the property to hold it for him. My uncle had been out west in poverty and knew nothing about it. Bird in order to get the property away from me brought an action and says "I am owner in fee of this property." I don't know what arrangement he had with my uncle. Then my uncle had got a divorce from his first wife principally through Bird's testimony; and she was really not his wife; but she commenced action for limited divorce and alimony on the ground of abandonment and Bird having possession of the property and knowing she was not his wife instead of defending my uncle he let it all go by default; judgment was entered up and the receiver appointed; then Bird goes and opposes ~~the ap-~~
~~pointment~~ the appointment of a receiver.

3.

By A Grand Juror:

Q. What is the charge?

A. Foreman--This is a case was laid over by a former grand jury.

By Foreman Woodruff:

Q. He swore that he owned property in fee?

A. Yes sir; I have certified copies of the affidavits which are on file in the County Clerk's office. He swore he was owner in fee and he is not owner; after that when he tried to prevent the appointment of a receiver he came into court and swore that he had no interest in this property nor in this money only in his capacity as trustee.

Q. You complain that he committed perjury on the second time?

A. No sir; the first time; the second time is right; the second time he swore he had no ownership only as trustee and that was correct.

Q. In September he stated he was the owner in fee?

A. Yes sir; on December 8th he made this affidavit and in November that he was owner in fee; and in April, 1885, he swears--"I have no interest in this money or property only in my capacity of trustee.

0746

4.

P.A.Olmstead sworn:

Examined by Foreman Woodruff:

Q. You charge this man Bird with committing perjury? You charge James Bird with committing perjury?

A. Yes sir.

Q. What did the perjury consist of?

A. In swearing that he owned my property corner of
-----in this city.

Q. Did you ever deed it to him?

A. I never deeded it to him; I did not consider
I ever deeded it to him.

Q. What did you do?

A. When I appointed him trustee to do my business,
being an engineer and going west I gave the trustee power
to settle up the property; and I got a blank to fill up
and I knew nothing about it at the time I put my name
there; it turned out to be a fraudulent deed. After
I demanded all my papers from him; and when they said they
sent me a copy I always mistrusted it; I never seen the
copy; and I said when I signed it that is my paper.
When they got down to Chicago to settle up on the 24th
of February, 1883, I then in the presence of all the
friends demanded all my papers; it got into a general

5.

row and they went to New York; and he deposited that fraudulent deed and I did not know anything about it until about a year ago.

Q. Where is this deed?

A. Over in the County Clerk's office.

Q. Left there to be recorded?

A. He recorded it.

Q. Was this deed witnessed?

A. In regard to that circumstance there was a notary there at the same time, and we were all going to catch a train, and he said hurry up.

Q. Did not you acknowledge the execution of this deed before the notary?

A. No sir; that was put to it after I left; I knew nothing about it being a deed.

Q. Has this Bird given up the paper since?

A. The way the thing now stands--there was an action by the first wife to recover alimony.

Q. Can you read writing?

A. Certainly.

Q. Why did not you read what you were signing?

A. I thought it was a trustee paper.

Q. You signed your name to it?

0748

6.

A. I never supposed I was giving my property away, for nothing; he was appointed trustee to do my business.

Q. Where do you reside now?

A. 168 Hudson avenue, Brooklyn, near the Navy Yard.

Q. You have got your property back?

A. The property is in the hands of a receiver in my name.

0749

District Attorney's Office.

PEOPLE

vs.

James Bird

An indictment was
found in this case
which was illegally
dismissed.

These papers
should go with the

John,

City and County of New York S.S.

Cyrus Olmsted being duly sworn deposes
and says

That he is the attorney in fact of Benjamin F. Olmsted to whom was devised by the will of his father Silas Olmsted the property known as 319 Spring Street in the City of New York. That by the authority given to deponent by the compromise judgment which settled the estate of Silas Olmsted, deponent leased the said property to one Grobugg for the benefit of Benjamin F. Olmsted the true owner for many years then a resident of Michigan.

That on the 30th day of November 1883 at the City of New York in the State & County of New York in a certain action in the Supreme Court of the State of New York wherein one James Bird was plaintiff and one Cyrus Olmsted and one Henry Grobugg were defendants the said James Bird before Edward J. Wright Esq. a Commissioner of Deeds in and for the City and County of New York did falsely, wilfully and

corruptly swear in an affidavit by him subscribed and sworn to by him before the said commissioners of Deeds in the said action, that the complaint in the said action was true of his own knowledge as to this allegation among others therein contained

"That he the said James Bird meaning, is the owner in fee of all that certain lot or parcel of land on the northwest corner of Spring and Greenwich Streets in the City of New York now known as 319 Spring Street" upon an oath lawfully administered the said allegation being of matter material to the said action whereas in truth and in fact he the said James Bird was not the owner in fee of the said real estate and he deposed falsely in a matter material in said action upon his oath lawfully administered as aforesaid and stated in his said affidavit and verified complaint in said action a material matter to be true which he knew to be false and thereby he the said James Bird did then and there wilfully and

corruptly swear falsely and commit wilful and corrupt perjury.

And this deponent the said Cyrus Olmsted further doth depose and say,

That on the 8th day of December 1883 at the said City of New York in the State and County of New York in a certain action then and then pending in the Supreme Court of the State of New York wherein one James Bird was plaintiff and one Cyrus Olmsted and one Henry Grobuggen were defendants the said James Bird before Arthur Fitch Esq a notary public in and for the City and County of New York, did falsely wilfully and corruptly swear that an affidavit by him subscribed and sworn to by him in the said action before the said Notary Public was true in the said action the which affidavit so as aforesaid by him subscribed and sworn to contained among other, the following matter material to the said action to wit: ^{the City and County of New York} S.S. James Bird being duly sworn says he is the above named plaintiff * * * that on the 21st day of November 1883 he

went to the premises corner of Spring and Greenwich Streets in the City of New York * * * and deponent further says that he is the owner in fee of said premises * * *

That he the said James Bird did subscribe to the truth of the said affidavit by him in the said action subscribed and sworn to as aforesaid upon an oath lawfully administered in such action and the matter concerning which he so deposed was material in and to the said action

But in truth and in fact he the said James Bird was not the owner in fee of the said real estate but was the trustee by force and fraud and against the consent of the true owner Benjamin F. Almstedt aforesaid and he the said James Bird deposed falsely in regard thereof in his said affidavit in the said action in a material matter in the said action upon his oath lawfully administered as aforesaid and he stated in his said affidavit a material matter in said action to be true which he knew to be

false and thereby he the said James Bird did then and there wilfully and corruptly swear falsely and commit wilful and corrupt perjury. And this deponent further doth depose and say. that both the oaths made as aforesaid falsely by the said James Bird were made by him in one and the same action wherein he sought to set aside a lease affecting the said premises no. 319 Spring St in the said City of New York and in aid of his action he prayed for an injunction against the defendants therein and therein and in the said action it became material to inquire what was the interest in and to said premises of said James Bird the said plaintiff which was to get possession of the said property and to collect several thousand dollars of rent of said premises which have been diverted by the said James Bird from the true owner and therefore the matter in issue in said action he the said James Bird did swear and make affidavit as aforesaid was material in the said action

and this deponent further says that subsequently on a judgment for alimony and divorce of the first wife of Benjamin F. Olmsted Justice Barrett brushed aside the trusteeship of the said James Bird and appointed a Receiver of the aforesaid property and that the said James Bird in a motion to oppose the appointment of a Receiver in an action in the Supreme Court of the State of New York before the aforesaid Justice Barrett of the Supreme Court he the said James Bird on the 10th day of April 1885 before C.W. Hutton notary public of the county of Westchester did swear to a contradictory affidavit to wit That he had no interest in the money or property of Benjamin F. Olmsted except in his capacity as trustee

And this deponent therefore prays that legal proceedings may be issued and that the said James Bird be apprehended to answer this complaint and be dealt with according to law.

Cyrus Olmsted

Subscribed and sworn to

before me this 5th day of December 1888

Wm. H. Gerchlein

Notary Public (46) N. Y. Co

0756

6th
Boone B.O.

77.

James Bird

Complaint for
Perjury.

Witnesses:
Cyrus Shuster
335 Downing St
Arthur H. H. H.
notary public

64. 0.

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

THE PEOPLE, &c..
ON THE COMPLAINT OF

Signature: 3355 Spring St

James Bird

Office
C. R. ...

Dated December 10th 1888

Witnesses, Arthur Fitch, notary

No. Cashier Grand Union Hotel Street,

Benj. F. Shurtled

Sarah L. Hunted

No. 168 Hudson Ave Street

Brooklyn
Henry G. Goring
Greenwich St. 1000

No. 8 Street, 21

0758

COURT OF GENERAL SESSIONS OF THE PEACE
of the City and County of New York.

-----X
The People of the State of New York :
against :
James Bird. :
-----X

The Grand Jury of the City and County of New York by this indictment accuse James Bird of the crime of perjury, committed as follows: Heretofore, to wit, on the 8th day of December, 1883, at the City of New York in the County of New York aforesaid, there was duly depending in the Supreme Court of the State of New York in and for the ~~said~~ City and County of New York aforesaid, a certain action to set aside a certain lease affecting certain premises situated in the said City and County, to wit, of all that certain lot or parcel of land on the northwest corner of Spring and Greenwich Streets, then known as No. 319 Spring Street, wherein the said James Bird was plaintiff and Cyrus Olmsted and Henry Grobrugger were defendants, a lease of which said premises had been theretofore duly given by the said Cyrus Olmsted to the said Henry Grobrugger, the said Cyrus Olmsted having full and lawful authority in the premises, and said lease being given for the benefit of one Benjamin F. Olmsted the true owner of the said premises then and for many years theretofore, which said lease was at all the times herein mentioned in full force and effect, to wit, that the said lease

0759

be adjudged to be null and void, and delivered up and cancelled, that the said Henry Grobrugger be restrained and enjoined by injunction from paying any rent thereunder, and said Cyrus Olmsted be restrained and enjoined from receiving any rent thereunder, or taking any proceedings to recover possession of said premises, and for such other relief as might be proper, with the costs of said action.

And on the day and in the year aforesaid the said James Bird, late of the City and County aforesaid, did personally go and appear before one Arthur Fitch, Esquire, a notary public in and for the said City and County of New York, and did then and there produce and exhibit to the said Arthur Fitch, Esquire, such notary public as aforesaid, a certain affidavit in writing of him the said James Bird for the purposes of a motion and application to the said Supreme Court in his behalf for an injunction to restrain and enjoin the said Henry Grobrugger, such defendant as aforesaid in the said action, from so paying rent, and the said Cyrus Olmsted from so receiving rent, under the said lease, and the said Cyrus Olmsted from taking any such proceeding to recover possession of the said premises, which said affidavit was then and there duly signed and subscribed by him the said James Bird in his own proper handwriting and then and there contained certain allegations and statements of and concerning the matters in question and material to the issues of the said action, and of his equitable right to such injunc-

tion for the purposes aforesaid, and particularly of and concerning his title and ownership in and to the premises hereinbefore mentioned, it being material and necessary that he the said James Bird should establish and show to the said court amongst other things such title and ownership in him thereto, in order that he might obtain such injunction and that such title and ownership should be made to appear to the said court upon such motion and application therefor. And the said James Bird was then and there in due form of law sworn and did take his corporal oath, by and before the said Arthur Fitch, Esquire, such notary public as aforesaid, touching and concerning the truth of the matters so contained in his said affidavit in writing, he the said Arthur Fitch, Esquire, as such notary public, then and there having full power and authority to to administer the said oath to the said James Bird in that behalf.

And the said James Bird being so sworn as afore said, then and there, to wit, on the said 8th day of December, 1883, at the City and County aforesaid, before the said Arthur Fitch, Esquire, such notary public as aforesaid, upon his oath aforesaid, in and by his said affidavit in writing, to deceive the said Supreme Court and unjustly to obtain the said injunction and x thereby greatly aggrieve the said Cyrus Olmsted, Benjamin F. Olmsted and Henry Grobrugger, ~~such defendants as aforesaid~~, feloniously, wilfully, knowingly and corruptly, did falsely swear, depose and say amongst other

things in substance and to the effect following, that is to say: That he the said James Bird was then the owner in fee of the said premises (meaning thereby all of said certain lot or parcel of land on the northwest corner of Spring and Greenwich Streets in the said City of New Yor, then known as No. 319 Spring Street as aforesaid).

Whereas in truth and in fact, he the said James Bird was not then the owner in fee of the said premises to wit, of the said lot or parcel of land on the northwest corner of Spring and Greenwich Streets in the said City of New York, then known as No. 319 Spring Street as aforesaid.

And whereas in truth and in fact the material matters so as aforesaid by him the said James Bird sworn to, deposed and said as aforessaid were then and there in all things utterly false and untrue as he the said James Bird then and there well knew.

And thereafter, to wit, on the 8th day of December in the year aforesaid, at the City and County aforesaid, the said James Bird presented the said affidavit in writing to the Hon. Abraham R. Lawrence, one of the justices of the said Supreme Court, and upon the said affidavit and upon such motion and application for which the same was so made and intended as aforesaid, did obtain from the said the Hon. Abraham R. Lawrence such justice as aforesaid, and the said justice did then and there make and grant an order in due form of

law requiring the said Cyrus Olmsted and Henry Grobrugger, such defendants as aforesaid, to show cause at a Special Term of the said Supreme Court, to be held at the Chambers thereof on the 10th day of December, 1883, why such injunction for the purposes aforesaid should not be granted and in the mean time and until the hearing and decision of said motion and application the said defendants were by the said order so restrained and enjoined, as by the record thereof doth more fully and at large appear.

And so the Grand Jury aforesaid do say, that the said James Bird in manner and form aforesaid feloniously wilfully, knowingly, corruptly and falsely did commit wilful and corrupt perjury: 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.

0763

BOX:

331

FOLDER:

3139

DESCRIPTION:

Birnbaum, Judeh

DATE:

12/14/88



3139

0764

Witnesses:

Off. Mamey

282

Counsel,

Filed, 14 day of Dec 1888

Pleads, *Chynity 17*

THE PEOPLE,

vs.

VIOLATION OF EXCISE LAW

(Keeping Open on Sunday.)
[III Rev. Stat. (7th Edition), Page 1089, Sec. 5.]

Israhel Benbarrun
Dec 19/88

Rec'd to the Court of Special Sessions for trial, by request of the Journal for Deaf and Dumb.

JOHN R. FELLOWS.

District Attorney.

A True Bill.

Wm. Woodruff

Foreman.

0765

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Judah Birnbaum

The Grand Jury of the City and County of New York, by this indictment, accuse *Judah Birnbaum* of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES ALE AND BEER, committed as follows:

The said *Judah Birnbaum* late of the City of New York, in the County of New York aforesaid, on the *fourteenth* day of *October* in the year of our Lord one thousand eight hundred and eighty-*eight*, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of, and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid, unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure, and suffer and permit to be open, and to remain open, 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.

0766

BOX:

331

FOLDER:

3139

DESCRIPTION:

Bloy, Giotana

DATE:

12/11/88



3139

0767

Witness,

James R. Barron

officer

149

Frank H. Hare

Counsel,

Filed

May of

Dec 1888

Pleads,

"Guilt"

THE PEOPLE

W. J. W. S. L.

118 St. 23rd St.

Victoria B. Roy

[Penal Code.]

Section 100

Crime against nature

JOHN R. FELLOWS,

Dec 18/88 Part 3

District Attorney.

" 20 Part 3,

Jan 9/89 114th St. n. e. 1st, V.M.D.

A True Bill.

Wm. Woodruff

Foreman.

P. 2. Jan 9/89

per. acc. to

Elmira Ref. B.M.

0768

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, ss.Police Court, 5th District.

James Barassa
 of No. *253 East 125th* Street, being duly sworn, deposes and
 says, that on the *29* day of *November* 18*88*
 at the City of New York, in the County of New York, *Giuliana Blooy*

did unlawfully and feloniously
 make an assault on deponent
 and did commit the detestable
 crime against nature called
 Buggary. That about ten
 o'clock P.M. on said night
 while deponent was in bed
 with the defendant in a room
 of said premises he forcibly
 turned deponent upon his
 stomach and against the
 wish and without the consent
 of deponent he did then and
 there enter deponent's rectum
 with his penis and did
 thereupon feloniously commit
 the abominable and detestable
 crime against nature called
 Buggary & Sodomy.

Deponent asks that
 he be apprehended and dealt
 with as the law directs

James Barassa
 mark

Sworn to before me this
26 day of *Nov* 18*88*
Wm. W. [Signature]
 Police Justice

0769

W-5
Police Court, District.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

James Parasa
vs.
Gloria Boy

ARRIDAVIT.

Dated November 26 1898

My Magistrate.

Officer.

Witness,

Disposition,

0770

Sec. 198-200.

5

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Girotana Bloy 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.

Girotana Bloy

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

Italy

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

Answer.

253 East 118th St. 4 days-

Question. What is your business or profession?

Answer.

Shoemaker

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 charge
his
Girotana x Bloy
man

Taken before me this

27

1898

Police Justice.

0771

Sec. 151.

Police Court 5 District.

CITY AND COUNTY }
OF NEW YORK, } ss.

In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:

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 James Barassay

of No. 253 East 125 Street, that on the 26 day of November 1888 at the City of New York, in the County of New York,

The Cistana Bloy did in a room of premises 253 East 125 Street without the consent and against the will of Complainant commit the abominable and detestable crime against Nature Called Buggery

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 each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 5 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 26 day of Nov 1888

James Barassay POLICE JUSTICE.

0772

22 July 233 E 118

The within named

having been brought before me under this Warrant, is committed for examination to the
WARDEN and KEEPER of the City Prison of the City of New York.

Dated _____ 188

Police Justice.

Police Court _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-General.

Dated _____ 188

Magistrate

Samuel J. [Signature]
Officer.

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

Officer.

Dated _____ 188

This Warrant may be executed on Sunday or at
night.

Police Justice.

0773

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 Mar 27th 1888 Henry H. H. H. Police Justice.

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

Dated _____ 1888 _____ 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 _____ 1888 _____ Police Justice.

0774

Police Court--- 5 1856 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Baranua
283rd East 125th
Custana Bloy

Offence *Crime against*
matrimony

2
3
4

Dated *November 26th* 1888

Wm. W. Wm. - Magistrate.

(V) *James* Officer.

5th Ave. Precinct.

Witnesses *Officer James*

No. *Frederick Macgregor* Street.

265 - 5th Ave.

No. *Wm. W. Wm.* Street.

No. *1856* to answer *G. J.* Street.

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

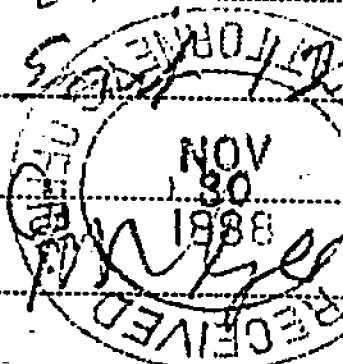
Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.



(Don)

0775

(1)

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Diana Edou

The Grand Jury of the City and County of New York, by this
Indictment accuse *Diana Edou* —

of the *Crime* of *crime against nature*, —

committed as follows:

The said *Diana Edou*

late of the City of New York, in the County of New York, aforesaid, on the
twelve day of *November* in the year of our Lord one thousand
eight hundred and eighty- *eight* — , at the City and County aforesaid,

in and upon one *James Barassa*, a
male person, feloniously did make
an assault, and then the said *James*
Barassa, in a manner contrary to
nature, then and there feloniously did
penetrately know, 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. Edwards

District Attorney

0776

BOX:

331

FOLDER:

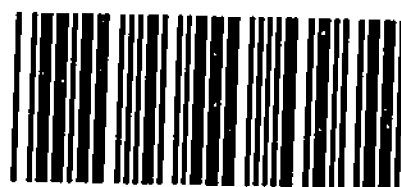
3139

DESCRIPTION:

Bochon, Otto M.

DATE:

12/20/88



3139

373

Witnesses

A. L. Ward

Counsel, 20 day of Dec 1888
Filed,
Pleads, *Chargely*

THE PEOPLE,

vs.

ADULTERATED MILK.

(Chap. 183, Laws of 1885, Section 1, as amended
by chap. 577, Laws of 1886, Section 1; Section 186,
Sanitary Code, and Section 575 of the N. Y. City
Consolidation Act of 1882.)

B
Otto M. Bickon

JOHN R. FELLOWS.

District Attorney.

*Ready to pay \$184
for the services of
A True Bill
for the
foreman.*

Wm. Woodruff

Foreman.

0778

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Otto M. Bochon

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

Otto M. Bochon

(Chap. 183, Laws of 1885, § 1, as amended by Chap. 577, Laws of 1886, § 1.)

The said

Otto M. Bochon

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

fifteenth day of *November* in the year of our Lord
one thousand eight hundred and eighty-*eight* at the City and County aforesaid,

did unlawfully expose for sale three quarts of unclean, impure, unhealthy, adulterated

and unwholesome milk (the same not being skimmed milk produced in the said County),

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:

(§ 180, Sanitary Code

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

Otto M. Bochner

of the CRIME OF VIOLATING THE SANITARY CODE OF THE BOARD OF HEALTH OF THE HEALTH DEPARTMENT OF THE CITY OF NEW YORK, committed as follows:

The said

Otto M. Bochner

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully keep, have and offer for sale, three quarts of milk which had been and was then and there watered, adulterated, reduced and changed by the addition of water and other substances to the Grand Jury aforesaid unknown, and by the removal of cream, against and in violation of the Sanitary Code of the Board of Health of the Health Department of the City of New York, duly adopted and declared as such at a meeting of the said Board of Health, held in said city on the second day of June, 1873, as amended in accordance with law, and particularly in violation of a certain ordinance thereof, to wit: the one hundred and eighty-sixth section of said code, which is as follows, that is to say:

“No milk which has been watered, adulterated, reduced or changed in any respect by the addition of water or other substance, or by the removal of cream, shall be brought into, held, kept, or offered for sale at any place in the City of New York; nor shall any one keep, have or offer for sale in the said city any such milk.”

Which said section and ordinance above set forth was, by a certain resolution, duly passed and adopted by the said Board of Health and by said Health Department, at a meeting thereof duly held in said city on the twenty-third day of February, 1876, added to and made a part of the said Sanitary Code aforesaid, and adopted and declared to form a portion thereof, pursuant to the authority and power conferred by law upon the said Board, and which said ordinance was thereafter duly published once a week, for two successive weeks, in the *City Record*, a daily official newspaper and journal published in the said city, to wit: in the issues of such newspaper of the twenty-fourth day of February, 1876, and also of the second day of March, 1876, and which said Sanitary Code so amended and altered was then and there, at the time of the committing of the offense hereinabove alleged, in full force and operation, and was by law declared to be binding and in force in said city, and which said section and ordinance above set forth was then and there in full force and virtue, having been in nowise altered, amended or annulled by said Board of Health, 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.

0780

BOX:

331

FOLDER:

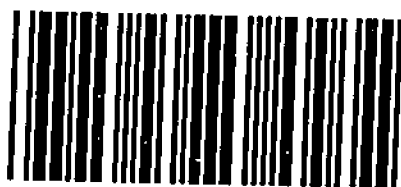
3139

DESCRIPTION:

Boiee, Henry

DATE:

12/12/88



3139

Witnesses

H Farrell

No serious injury was inflicted
Campbell and Deft were living
as man and wife. She was a
quarrelsome and am of opinion
that assault in this third
degree is as high grade of
crime as could be obtained
& therefore recommends that
a plea of guilty of assault
in the third degree be accepted

Dec 18/88

E. W. Goff
Clerk Dist Ct

208.

Counsel, E. E. R.

Filed 12 day of Dec 1888

Pleads, Not guilty 13.

THE PEOPLE

vs
Deft

Henry Boice

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

JOHN R. FELLOWS,

Dec 18/88 District Attorney.

A True Bill.

Wm Woodruff
Prosecutor.

Part IV December 18, 1888

Pleads. Assault 3^d deg.

Pen 8 and.

0781

0782

Police Court—1st District.
CITY AND COUNTY }
OF NEW YORK, } ss. Franklin Farrow
of No. 176 Thompson Street,
aged 25 years being duly sworn, deposes and says, that
on Saturday the 1st day of December

in the year 1888 at the City of New York, in the County of New York,
§ he was violently and feloniously ASSAULTED and BEATEN by Henry Boice
who cruelly and maliciously cut and
stabbed deponent on the face with
a knife then and there held in his
hand and thereafter struck her
twice on the head with a slung
shot blackening her eyes

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 3 day
of Dec 188 8
Franklin Farrow
San J. C. [Signature] POLICE JUSTICE.

0783

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Henry Boice 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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.

Taken before me this

day of *December* 188*8*.

David C. McCall Police Justice

0784

Sec. 151.

Police Court 1st District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York. To the Sheriff of the County*
OF NEW YORK, } *of New York, or any Marshal or Policeman of the City of New York, GREETING:*

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 Frankie Farrell arrant
of No. 176 Thompson Street, that on the 1st day of December
1888 at the City of New York, in the County of New York,

and felonious by
he was violently Assaulted and Beaten by Henry Bovee

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 each and every of you, to apprehend the said Defendant and bring him
forthwith before me, at the 1st 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 3d day of Dec 1888

Sam J. [Signature] POLICE JUSTICE.

0785

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Francis Farrell

vs.

Henry Bowee

Warrant-A. & B.

Dated *Dec 3* 188

D. O. Reilly Magistrate

Armstrong Woodbridge Officer.

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

..... Officer.

Dated 188

This Warrant may be executed on Sunday or at
night.

John J. ... Police Justice.

Dated

188

having been brought before me under this Warrant, is committed for examination to the
WARDEN and KEEPER of the City Prison of the City of New York.

The within named

Police Justice.

0786

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
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.....*188*.....*Police Justice.*

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

Dated.....*188*.....*Police Justice.*

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

Dated.....*188*.....*Police Justice.*

0787

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

208.
Police Court-- 151- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Franklin Farnham
126 Thompson
Henry Baker

2
3
4

Office of Paul
H. H. H.

Dated Dec 6th 1888

Daniel O'Reilly Magistrate.
Amstrong & Neelbridge Officer.
C. T. Precinct.

Witnesses Emma Crippen
No. 126 Thompson Street.

No. Street.

No. Street.

\$ 1000 to answer G. S.

COMMITTED.

0788

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Henry Boice

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

The said *Henry Boice*,

late of the City of New York, in the County of New York aforesaid, on the
first day of *December*, in the year of our Lord
one thousand eight hundred and eighty *six* with force and arms, at the City and
County aforesaid, in and upon the body of one *Frankie Barron*,
in the peace of the said People then and there being, feloniously did make an assault,
and *then* the said *Frankie Barron*,
with a certain *knife and also with a*
certain dumb shot
which the said *Henry Boice*
in *his* right hand then and there had and held, the same being *deadly and*
dangerous weapons, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent *then* the said *Frankie Barron*,
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
Henry Boice
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Henry Boice*.

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 *Frankie Barron*,

in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make another assault, and *then* the said

Frankie Barron,
with a certain *knife, and also with a*

certain dumb shot
which the said *Henry Boice*,

in *his* right hand then and there had and held, the same being *weapons 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. Bellows
Attorney

0789

BOX:

331

FOLDER:

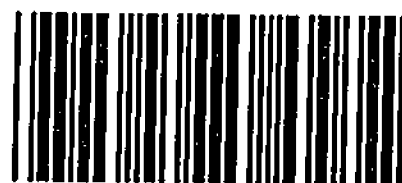
3139

DESCRIPTION:

Bonner, Charles W.

DATE:

12/04/88



3139

0790

Witnesses:

As Pursued
Wm. Lammie
off Clerk

I remember that a plea
of Larceny in the 2^d degree
The acceptor forgoes
and is guilty

25

~~H. H. H.~~

Counsel,
Filed
Pleads,
Moores
4 day of Dec 1888
Guilty

THE PEOPLE

vs.
Charles W. Bonner

Grand Larceny
[Sections 628, 68 C - , Penal Code].
Grand Larceny
Grand Larceny
Grand Larceny

Charles W. Bonner

JOHN R. FELLOWS,

Dec 18 / 1888, District Attorney.

A True Bill.

Wm. Lammie

Park II December 18, 1888.

Pleads. G. L. 2^d degree

James R. L.

0791

Police Court—1st District.

Affidavit—Larceny.

City and County } ss.:
of New York,of No. 171 Park Row Alfred Bernard Street, aged 68 years,
occupation Jeweler being duly sworndeposes and says, that on the 27 day of November 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property viz:Three pair of diamond Earrings of the value
of Nine hundred dollarsthe property of Deponent and Copartnerand that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by Charles W. Bonner (now here) andanother person whose name is unknown
Deponent says that said defendant came in store
No 171 Park Row and requested him to show
him the aforesaid property as he said defendant
requested to purchase a pairDeponent says that said defendant
took the aforesaid property outside of said
store to examine and while standing
there handed the same to said unknown
person who ran away with said propertyDeponent says that said defendant
Bonner came back to said store and
informed ^{him} that said unknown person stole
said property Deponent says that he caughtof
Sworn to before me, this
188
Justice.

0792

hold of said Brown and detained him until an officer came along and department caused his arrest.

Deponent further says that said
Banner made no attempt to run after
said unknown person and made no
outcry. Wherefore deponent charges said
Charles W. Banner with acting in concert
with said unknown person and feloniously
taking stealing and carrying away the
same as aforesaid.

Sworn to before me
this 30 day of Nov 1888

Alfred Barnard

Samuel C. Buckley Police Justice

Dated 188 _____
Police Justice. _____

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

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

Dated _____ 188 _____
Police Justice.

Dated.....188 .
Police Justice.-----

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.

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

Police Court, _____ District.

THE PEOPLE, &c.,
on the complaint of _____

vs.

1 _____
2 _____
3 _____
4 _____

Dated _____ 188 _____

Magistrate. _____
Officer. _____
Clerk. _____

Witnesses, _____
No. _____ Street, _____
No. _____ Street, _____
No. _____ Street, _____
\$ _____ to answer _____ Sessions.

0793

Sec. 198-200.

CITY AND COUNTY }
NEW YORK, } ss.

District Police Court.

Charles W. Bonner 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.

Charles W. Bonner

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

England

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

Answer.

204 E 15th St - 3 weeks

Question. What is your business or profession?

Answer.

Commission Broker

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

Answer.

I am not guilty and waive Examination

Charles W. Bonner

Taken before me this

day of *Nov*

188

Edw. J. Kelly Police Justice.

0794

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 Bynden

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Fifteen *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 Nov 30 *188* 8 San Francisco *Police Justice.*

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

Dated _____ *188* _____ *Police Justice.*

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

Dated _____ *188* _____ *Police Justice.*

0795

Police Court---

1857 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Alfred Bernard
171 Park Row
Charles W. Bonner

2
3
4

Office of the
Clerk

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Nov 30 1888

W. O. Reilly

Magistrate.

Clark Mullin

Officer.

4th Precinct.

Witnesses William H. Brown

No. 167 Park Row Street.

Adolph Schindler

No. 55 Street.

Zachariah Mullin

No. 26 Clark Street.

\$1500 to answer

M. M. Adams - Board of Aldermen, 56 Henry St.

Committed

0796

POOR QUALITY
ORIGINAL

Peo Ind. Dec 4.88 - H. L. 2nd
Chas W Bonner Sent to Elmina H. L. 2nd Dec 21.88 -

Comp. Ch. Alfred Bernard - 171 Park Row
Offo. ^{Robt H.} Clark ^{Zabinski} & ^{McLennan} 4th St.

Witnesses Wm N Brown 167 Park Row
M. M. Adams Rd of Brokers, 56 New St.

0797

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles W. Bonner

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

Charles W. Bonner

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

The said

Charles W. Bonner

late of the City of New York, in the County of New York aforesaid, on the *twenty-seventh*
day of *November* in the year of our Lord one thousand eighty hundred and
eighty-eight, at the City and County aforesaid, with force and arms,

*six earrings of the value
of one hundred and fifty
dollars each*

of the goods, chattels and personal property of one

Alfred Bernard

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.

*John R. Fellows,
District Attorney.*

0798

SECOND COUNT—

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

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY 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,

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.