0685

BOX:
191
FOLDER:
1933
DESCRIPTION:
Eagan, Patrick J.

DATE:
10/16/85

1933

No. 153

Day of Trial,

Counsel,

Filed 16 day of Oct 1885

Pleads Not Guilty

THE PEOPLE

vs.

B

Rotunda Eagan

INJURY TO PROPERTY.

Sec. 654, Penal Code.

RANDOLPH B. MARTINE.

[redacted]

District Attorney.

A True Bill.

H H Amidon

Foreman.

Part III Mch 15 87

Indictment dismissed.

Upon the withdrawal of the complaint herein, from which it appears that the deft is of good character, connections, & has made restitution for the property destroyed, I recommend that the indictment herein be dismissed, & the bail discharged.

N.Y. Mar. 15, 1887.

V. M. Davis
Dept Dist Atty.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Patrick J. Reagan

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

Patrick J. Reagan

of the CRIME OF UNLAWFULLY AND WILFULLY destroying PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said Patrick J. Reagan,

late of the Seventh Ward of the City of New York, in the County of New York aforesaid, on the twenty-eighth day of September, in the year of our Lord one thousand eight hundred and eighty-five, at the Ward, City and County aforesaid, with force and arms, a certain Rodaway glass of the value of twenty dollars, and one pane of glass, of the value of twenty-five dollars, of the goods, chattels and personal property of one Michael Fyfe, then and there being, then and there feloniously did unlawfully and wilfully break and destroy;

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 Patrick J. Reagan

of the CRIME OF UNLAWFULLY AND WILFULLY breaking REAL PROPERTY OF ANOTHER, committed as follows:

The said Patrick J. Reagan,

late of the Seventh Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, a certain pane of glass, of the value of twenty-five dollars, in the dwelling of one Michael Fyfe, there situate, then and there being, of the real property of the said Michael Fyfe, then and there feloniously did unlawfully and wilfully break and destroy;

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.

RANDOLPH B. MARTINE,
JOHN McKEON,
District Attorney.

0688

Pa 153

Police Court 5th District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Michael Gilligan
116 W. 60th Street
Patrick Eagan

2
3
4

Offence Felonious Assault

Dated October 11 188 5

Patrick Eagan Magistrate

Officer Officer Precinct.

Witnesses Michael Gilligan
No. 116 W. 60th Street.

No. Street.

No. Street,

No. Street,

& to answer

Michael Gilligan
116 W. 60th St.

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 Patrick Eagan *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 October 11 188 5 J. M. Patterson *Police Justice.*

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

Dated October 13 188 5 J. M. Patterson *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 _____ 188 _____ *Police Justice.*

0689

Sec. 198—200.

3d District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Patrick Eagan 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 Patrick Eagan

Question How old are you?

Answer 22 years

Question. Where were you born?

Answer. London England

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

Answer. 24 Hamilton street one month

Question What is your business or profession?

Answer Painter

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

Patrick J Eagan

Taken before me this 21 *day of* October 1885

Matthew Cross *Police Justice.*

0690

POLICE COURT 3d DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

Patrick Eagan

On Complaint of Michael Gill

For Malicious Mischief

Demand

After being informed of my rights under the law, I hereby ~~waive a~~ trial, by Jury, on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated October 11 1885

Patrick J Eagan

J W Patterson Police Justice.

0691

Sec. 151.

Police Court 3d **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 Michael Gill of No. 126 Cherry Street, that on the 28 day of September 1885 at the City of New York, in the County of New York,

Patrick Eagan did wilfully and maliciously break and destroy one said premises consisting of glass and a compleat of glass causing a damage to deponent amounting to fifty five dollars $55.00

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 3 *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 1 *day of* October 1885

[illegible] POLICE JUSTICE.

Police Court 3d **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Michael Gill

vs

Patrick Eagan

Warrant—General.

Dated Oct 1st 1885

Warrant *Magistrate.*

[illegible] *Officer.*

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

[illegible] *Officer.*

Dated October 1st 1885

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest, Oct 1st 1885

Patrick Eagan

Native of Ireland

Age, 29

Sex, M

Complexion,

Color, White

Profession, Painter

Married, No

Single, "

Read, "

Write, "

W H Hamilton

0692

Grand Jury Room.

PEOPLE

vs.

[illegible]

[illegible]

[illegible]

[illegible]

0693

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

POLICE COURT, 3 DISTRICT.

Michael Gill

of No. 126 Cherry Street, being duly sworn, deposes and says,

that on the 28 day of September 1885

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

did wilfully and maliciously break and destroy in said premises a looking glass and were have of glass causing a damage and loss to deponent amounting to fifty five dollars.

M. Gill

Sworn to before me this 28 day of October 1885

Henry Power

Police Justice.

0694

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS
Patrick J. Egan } Injury to Property.

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

My reason for such recommendation is that the defendant was under the influence of liquor at the time he broke the mirror, did not destroy it maliciously, & has since made restitution therefor. I have known him & his connections for many years, & know them & him to be respectable, honest & industrious people.

I therefore respectfully request permission to withdraw my complaint.

N.Y. Mar 12/89.

M. Gill

Witness:
A D Barker

0695

BOX:
191
FOLDER:
1933
DESCRIPTION:
Edwards, George

DATE:
10/19/85

1933

No 158

Witnesses:

Jonnie L. Clark

Counsel, C. F. Kingsley

Filed 19 day of Oct 188 5

Pleads Not guilty (29)

THE PEOPLE

vs.

P

George Edwards

Grand Larceny 2nd degree

[Sections 528, 531 Penal Code].

RANDOLPH B. MARTINE,

District Attorney.

Nov. 16/85

Priv. Quarter.

A True Bill.

S.P. 4 1/2 years

Nov 26/85

W. A. Condon

Foreman.

Nov 16th

9.00

0697

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Fitzroy Edwards

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

— Fitzroy Edwards —

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

The said Fitzroy Edwards,

late of the First Ward of the City of New York, in the County of New York aforesaid on the Twelfth day of October, in the year of our Lord one thousand eight hundred and eighty-five, at the Ward, City and County aforesaid, with force and arms,

twelve cases of drawing instruments (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of five dollars each,

of the goods, chattels and personal property of one Frederick W. Dunn,

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.

Randolph B. Martine
District Attorney.

Testimony in the case
of
George Edwards
filed
Nov. 1880

Copy

8699

The People
vs.
George Edwards.

Court of General Sessions, Part I.

Before Judge Cowing.

Monday, November 16, 1885.

Indictment for grand larceny in the second degree.

James L. Clarke sworn and examined, testified: I live 114 East 86th Street in the city and am a salesman at 101 Fulton Street. Our firm is engaged in selling artists's materials and draftsmen's supplies; on the 15th of October the firm lost twelve cases of drawing instruments of the value of sixty dollars belonging to T. T. Deyoe & Co.. I saw the instruments under the prisoner's coat. I seen him walking up and down very suspicionsly where those goods were kept, I was employed waiting on a customer and I watched him until he was about to go out and I then walked over by the stairs and I looked under his coat; there were three cases under each arm, I let him go down stairs ahead of me, I excused myself from that customer and went down after him; when I got to the door I went up to him and opened his coat and saw three cases under each arm. I took hold of him and told him I wanted to see him. He said that was all right he was playing a joke on George upstairs. I told him I did not care about these jokes being played on us. We have four Georges in our place but none of the Georges happened to know this man. None of the Georges are in court. When the prisoner saw I would not let go of him under that excuse he attempted to get away from me by force, he was struggling to pull away from me, I had hold of his coat. In the struggle these cases that he had under his arm fell to the ground and in the scuffle some of the other clerks came to

my assistance. We held him there, I went out and called this policeman to arrest him. When he was searched at the Station House three cases were found in each of his pockets, he had twelve cases altogether; the cases were not exposed to view, they were under his overcoat. I did not take him to any of the Georges, one of the cases standing by him, he did not say anything in his presence regarding it being a joke.

Cross Examined. I have seen of the twelve boxes here; they were of two sizes, one was three and a half inches wide and five inches long and three-quarters of an inch thick, the boxes contained drawing instruments. Afterwards I told the Georges what the prisoner said; they said they did not know him and never heard of him. This larceny occurred on the second floor, the first floor is the retail department and I am in the wholesale department upstairs. I am a salesman and there are four salesmen on that floor; on the 17th of October there were two salesmen present and two other lookers, 6 or persons besides me and the prisoner; it is a very large floor, about the size of this room and plenty of light. It would not be at all possible that a man could walk in there, especially a person who had no business there and who declared he did not have any business there and heap himself up with instruments and walk away unobserved? Yes, it is possible. I did not see him taking the instruments but I saw them under his coat. I did not lose sight of him from the time I first saw the goods. I think he knew very well that he was stealing the goods.

Patrick Harnwell sworn. I am an officer of the 4th precinct and remember the 15th of October last, I arrested the prisoner about a quarter before one o'clock in the daytime, he was sitting on a chair in Devoe's place corner of William and Fulton Streets, I did not search him in the place but in the Station House and in the outside pockets of his coats I found six of those cases; they were identified by this man that has left the witness stand as belonging to him in that place. All I found was on the outside, I cannot say whether they were all in the same pocket or not but I know six were there which the witness identified and claimed as cases that were taken from these premises. The prisoner was not being held at the time, he was quiet, he did not appear to be intoxicated, he was silent and had nothing to say.

The Case for the Defence.

Richard Southwick sworn. I am in the wholesale Fulton Market, Pier No. 4, East River, I have been there about four years, I know the defendant at the bar, he is my brother, he has never been arrested before only when I had him arrested, he stole things which belonged to me, I have found him out in the street with my clothes and when I would meet him he would not know why he had them or what he was doing with them and would come back and fetch them in; he would say, I did not know why I fetched them out. Sometimes he would go home and dress up and I would go looking for him and find him with all my clothes; he had an absent minded way of talking. He had liked to kill my sister about a month before this, he came up and he cut her throat with a knife only the knife being dull saved

her; he bit a chicken's head off and sucked all the blood out of it; the authorities took him in; this was done in Asbury Park. I had him confined in an insane asylum because he attempted to kill me one night so that when I had a room together I made him get a room by himself; he would have a room about two weeks and he would have to change it; he is subject to epileptic fits and he becomes a maniac; I had him in the asylum at Flatbush and then I sent him down in the country. I tried to put him in an insane asylum two or three times, but you cannot get him there without he injures somebody. When I had him arrested in Brooklyn he was a maniac; they had him examined by Dr Young and he pronounced him insane and put him in an asylum . He got in a very strange way; he would converse on one subject and go off to another and would not know what he was talking about. He is a stone cutter and has been working out in Pennsylvania; as soon as he goes to work he becomes sick. I support him and pay all the doctor's bills. My sister telegraphed for me to go to Asbury Park and the authorities let me take him to New York. He was insane at intervals, he was not insane all the time.

George Edwards sworn. My name is Charles Southwick but I was arrested under the name of George Edwards. I was last employed as a stone cutter at Bradford, Pa. The man who was on the stand last is my brother. I do not remember the 15th of October last when I was arrested, I remember finding myself in the Tombs, I

do not remember anything about stealing twelve boxes of instruments, I do not remember stating in the Police Court that I was intoxicated, I could not have been intoxicated because I do not drink liquor when I am subject to epileptic fits for the last twelve years, I dare not drink on account of the fits. I have been told that I have been put twice in the padded cells in the Tombs. I can honestly say that I had no knowledge of the fact that I was taking these instruments.

By Mr Bedford. Q On the 15th of October it is charged that you were arrested in a certain building and that you had several cases under your arm and under your coat and that when taken to the Station House you had six cases in your coat pocket and the first gentleman said that when he asked you for an explanation you told him that you were playing a joke on George, is that true or not?
I am not aware that I ever said anything of the kind or was in that place, I have no recollection of going into the premises, I do not know where the place is.

William S. Cabot sworn. I am salesman in a wholesale fish market at the foot of Vesey Street, Pier 24, North River for John Elsey, I have been employed by him for about nine years but I was in the branch place of his over in 100 South Street about four years ago. I Have known the defendant all that time and worked with him at 100 South Street about four years ago, I think it was for four or five months; we had to hold him and he went from there to the lunatic asylum. I cannot say positively when that was but I think it was four years ago. He did everything there that we asked him to do;

He was a very good workman but two of us one day had to hold him and they took him over to a lunatic asylum in Brooklyn, I do not know his trade, we hired him there. I never detected him in taking any property that did not belong to him, I know his brother who has been a witness on the stand. At the time that two men held the prisoner we were afraid of our lives in the place, I have not seen much of him since then, I did not know that he lives over in Jersey with his sister.

Washington Hobron sworn. I am a salesman in Fulton Market for John Feeny. I know the defendant about four years, he worked doing odd jobs, he told me he was a stone cutter by trade. About four years ago he came into the office one day with a fish in his hand and wanted to know if I knew the difference between fish. I said, what do you mean? He says, can you tell the difference between a male and a female fish? He said, I found out something that I can combine the two in one. I said, what is the matter with you and from that he began to get quite violent and I told him he had better go on and go to work, I didn't know then that anything was wrong with him. He went to another salesman and he took hold of him and used some force and finally it took two to hold him, his brother came and took him to an asylum in Brooklyn. After the prisoner came out of the asylum I asked him about what he did and said and he said he didn't know that he had done anything.

Georger Seler sworn. I am a speculator in the fish business corner of Beekman and South Streets at I have been there forty years. I know the defendant and his brother. The defendant tried one time to hit me on the head with an ax. I went in to buy some fish and asked him what he charged for those fish? He told me and I told him it was too high. He said, get away you son of a bitch, he was going to hit me on the top of the head. I went out and told his brother who said, don't say anything to him, he is crazy. That was about four years ago.

The Jury rendered a verdict of guilty.

0706

No. 158

Police Court 1st District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles Clark
101 W. Fifty
George Edwards

2
3
4

Offence Grand Larceny

Dated October 1 188

Arrested Magistrate

Assisted Officer,

4 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

No. Street,

to answer

BAILED,

No. 1, by Street.

Residence

No. 2, by Street.

Residence

No. 3, by Street.

Residence

No. 4, by Street.

Residence

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 Defendants

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 1 188 *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 he to be discharged.*

Dated _____ 188 _____ *Police Justice.*

Sec. 198—200.

1st District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

George Edwards 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. George Edwards

Question. How old are you?

Answer. 44 years

Question. Where were you born?

Answer. New York City

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

Answer. Ridgeway, McKean Co. Pennsylvania six years.

Question What is your business or profession?

Answer. Stone Cutter.

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

Answer. I was under the influence of liquor and I don't know what I was doing.

George Edwards

Taken before me this 1st day of July 188

Police Justice.

Police Court— First District.

Affidavit—Larceny.

City and County of New York, } ss.:

James L Clark

of No. 101 Fulton Street, aged 25 years, occupation clerk being duly sworn deposes and says, that on the 15 day of October 188[illegible] 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:

Twelve Cases of Drawing Instruments together of the value of Sixty Dollars

the property of Frederick W Devoe James F Drummond and Seaver Page in the care and custody of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by George Edwards from the fact that deponent saw the said defendant take steal and carry away the aforesaid property from a shelf on the second floor of the above described premises and deponent found a portion of the above described property concealed on defendants person underneath defendants coat and in defendants coat pockets and deponent identified said property found in defendants possession as a portion of the property taken stolen and carried away as aforesaid

James L Clark

Sworn to before me this 19 day 188[illegible]

Police Justice.

Dr. WILLIAM L. HARDY,
353 West 28th Street.

New York, Oct 26th 1885

Mr Frederick Smyth

Dear Sir

I have examined George Edwards on two different occasions, He was sane and rational at each examination, As he claims to be subject to Epilepsy it would be necessary to get an account of his actions for the past year or two from some eye witness. I have not been able to see any person who could give me an account of his actions previous to his entrance to the prison. Therefore I am unable to make a positive

diagnosis. But from his appearance and his reported actions since his entrance to the jail I am strongly inclined to believe that he is feigning. He says he forgets where he was born what he has done or where he has been during a great part of his life. This professed loss of memory is too great to be consistent with the present condition of his faculties and makes me believe that he is feigning unless his statements are substantiated by trustworthy evidence

Respectfully Submitted
William L Shane

The People
vs.
George Edwards }
City and County of New York, ss:
C. F. Kinsley being duly sworn says. That he is a counsel for the defendant above named.
That owing to the latness of the notice of trial deponent cannot procure the attendance of defendants brother and sister with whom defendants has resided for some years past
That the testimony of said brother and sister is necessary and material to a fair and impartial adjudication of the case
That deponent has used due diligence in endeavoring to procure the attendance of said witnesses and that deponent is informed and believes that said witnesses is without the jurisdiction of this Court, to wit: in the State of New Jersey and that he will be in the City of New York within a few days and will attend on

General Sessions

The People

vs

George Edwards

Affidavit

(filed March 15)

on Wednesday 11 day of March 1885

Sworn to and subscribed before me this 10th day of March 1885

} Geo. H. Newby

G. H. Newby
Commissioner of Deeds
Pro Tem.

0713

BOX:
191
FOLDER:
1933
DESCRIPTION:
Egan, Michael

DATE:
10/12/85

1933

No 83

Witnesses:

Counsel,

Filed 2 day of 1885

Pleads Arraigned (13)

THE PEOPLE

vs.

B

Michael Egan

MISDEMEANOR.

RANDOLPH B. MARTINE,

District Attorney.

1885 87

A True Bill.

Part III June 12 87

Pleads Guilty

[illegible]

Foreman.

Sash° Fd

0715

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 Fagan

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

(Chap. 458, Laws of 1885, § 3.) of a Misdemeanor, committed as follows:

The said Michael Fagan,

late of the City of New York, in the County of New York aforesaid, on the [illegible] day of [illegible], in the year of our Lord one thousand eight hundred and eighty-[illegible], at the City and County aforesaid, one pound of a certain oleaginous substance and compound, not made nor produced from milk or cream (a more particular description of which said substance and compound, and of the ingredients and matters of which the same was made and produced, is to the Grand Jury aforesaid unknown, and cannot now be given), unlawfully did sell, and cause and procure to be sold to one Edmund D. Gibson, for butter, the product of the dairy; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

SECOND COUNT: (Chap. 246, Laws of 1882, § 1.)

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

of a Misdemeanor, committed as follows:

The said Michael Fagan,

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 sell and cause and procure to be sold, at retail, to one Edmund D. Gibson, one pound of a certain substance, not butter, commonly called oleomargarine, and did then and there falsely represent the same to the said Edmund D. Gibson

to be butter; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

THIRD COUNT: (Section 430, Penal Code.)

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

Michael Eagan

of a Misdemeanor, committed as follows:

The said Michael Eagan,

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 sell, and cause and procure to be sold, to one

Edmund B. Wilson, as an article of food one pound of a certain substance in imitation of a certain article of food, to wit: butter, without disclosing such imitation by a suitable and plainly visible mark or brand; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

FOURTH COUNT: (Chap. 238, Laws of 1882, § 3.)

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

Michael Eagan

of a Misdemeanor, committed as follows:

The said Michael Eagan,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, a certain parcel containing one pound of a certain article and substance in semblance of butter, not the legitimate product of the dairy, and not made exclusively of milk or cream, but into which divers oils and fats not produced from milk or cream, entered as component parts (a more particular description of which said article and substance is to the Grand Jury aforesaid unknown, and cannot now be given), the same being then and there an article and substance required by law, in case of retail sales in parcels, to be sold from a tub, firkin, box or package, distinctly and durably stamped, branded or marked upon the top and side with the words "Oleomargarine Butter" only, where it could be plainly seen, in Roman letters, burned in or painted thereon with permanent black paint in a straight line, and not less than one-half inch in length, and wherewith the seller was then and there required by law, to deliver to the purchaser, a printed label, bearing the plainly printed words "Oleomargarine Butter" only, in Roman letters not less than one-half inch in length, in a straight line, unlawfully did then and there sell and cause and procure to be sold at retail to one Edmund B. Wilson,

from a certain tub and firkin which was not then and there stamped, branded or marked as aforesaid, and did then and there unlawfully omit to deliver therewith to the said Edmund B. Wilson a label of the kind and description aforesaid, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

FIFTH COUNT: (Chap. 215, Laws 1882, § 2.)

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

Michael Fagan

of a Misdemeanor, committed as follows:

The said Michael Fagan,

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 sell and cause and procure to be sold to one

[illegible]

of a certain article and substance in semblance of natural butter, and known as oleomargarine or imitation butter, the same not being the legitimate product of the dairy, and not being made exclusively from milk or cream, or both, with salt or rennet, or both, with or without coloring matter or sage, but into which divers oils, and animal and other fats, not produced from milk or cream, had been introduced (a more particular description of which said article and substance is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

SIXTH COUNT: (Chap. 458, Laws of 1885, § 2.)

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

Michael Fagan

of a Misdemeanor, committed as follows:

The said Michael Fagan,

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 sell and cause and procure to be sold to one

[illegible]

of a certain article, substance and compound in imitation and semblance of, and designed to take the place of natural butter produced from pure, unadulterated milk, or cream of the same the said article, substance and compound, so sold as aforesaid, being rendered and manufactured out of divers animal fats and oils not produced from unadulterated milk, or cream from the same, the said article, substance and compound not being manufactured or in process of manufacture on the ~~thirteenth~~ 30th day of April, in the year of our Lord one thousand eight hundred and eighty-five (a more particular description of which said article, substance and compound, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

RANDOLPH B. MARTINE,
District Attorney.

0718

BAILED,

No. 1, by Thomas Schlarden

Residence 138 Rivington Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court 3 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Edward N. Allen
Eo. Geary Commissioner

1 Michael Eagan
2
3
4

Offence Selling Adulterated Butter

Dated Sept 28 1885

Thomas Mulqueen Magistrate

Officer.

33 Pct Precinct.

Witnesses Chas. H. Hallwell
55 Fulton Street.

No. Street.

No. Street,

$ 300 to answer by

Bailed

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

Dated Sept. 30 188 5 *Police Justice.*

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

Dated Sep 30 188 *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 _____ 188 _____ *Police Justice.*

0719

CHAS. M. STILLWELL, A. M.
THOMAS S. GLADDING, A. M.

Office and Laboratory of

STILLWELL & GLADDING,

Analytical and Consulting Chemists,

No. 55 Fulton St., cor. Cliff St.,

Old Series, No. 9406.
New Series, No. 17999.

P. O. Box 1261.

New York, Sept 17 1885

Certificate of Analysis

of a sealed sample of "BUTTER"

marked 64 223 First Ave. Sept 11. 1885 time 6.30 T. R. Sing

received for account of Mr. B. F. Van Valkenburgh Sept. 12/85

~~drawn by our Agent~~ per Mr. E. S. Wilson

This Sample contains		*Analysis of the Fat present in the sample.*	
Animal and Butter Fat,	86.34	Soluble Fatty Acids, [on a dry basis]	0.65 %
Curd,	1.02	Insoluble do do do	95.80
Salt, [Ash,]	4.47	Specific Gravity of the dry Fat, at 100° Fah.,	0.9040
Water, at 100° C.,	8.17	Titre,	——? °C.
	100.00		

This sample is composed mainly of Animal Fat and is not produced from unadulterated milk, or cream from the same. It contains coloring matter, whereby it is made to resemble butter—the product of the dairy, and is made in imitation and semblance of butter produced from unadulterated milk or cream from the same

Very Respectfully,

Chas M Stillwell

Mr. B. F. Van Valkenburgh

State of New York
City of New York } ss.
County of New York

On the seventeenth day of September in the year one thousand eight hundred and eighty five before me personally came Charles M Stillwell to me known, and known to me to be the individual described in, and who executed the foregoing instrument, and he acknowledged that he executed the same.

Leander J. Savage
Notary Public Kings County & Co. of New York

... was Oleomargarine, and had been manufactured and colored as hereinbefore stated; that he did not tell deponent at any time that the said Oleomargarine so sold to deponent was not Butter, the product of the Dairy; that ~~deponent saw the tubs in which the said Oleomargarine was contained, and~~ no printed label bearing the words "Oleomargarine Butter," was delivered by said Michael Egan to deponent with the Oleomargarine sold to him.

Wherefore, deponent prays that a warrant may issue for the arrest of the said Michael Egan and that he may be dealt with as the law directs.

Sworn to before me this 28th day of September 1885

Edmund S. Wilson

Edmund S. Wilson
Justice.

POOR QUALITY ORIGINALS

0720

CHAS. M. STILLWELL, A. M.
THOMAS S. GLADDING, A. M.

Office and Laboratory of

STILLWELL & GLADDING,

Analytical and Consulting Chemists,

No. 55 Fulton St., cor. Cliff St.,

Old Series, No. 9406.
New Series, No. 17999.

P. O. Box 1261.

New York, Sept 17 1885

Certificate of Analysis

of a sealed sample of "BUTTER"

marked 64 223 First Ave Sept 11 1885 time 6.30 T. R. Gray

received for account of Mr. B. F. Van Valkenburgh Sept. 12/85

~~drawn by our Agent~~ per Mr. E. S. Wilson

This Sample contains

Animal and Butter Fat,	86.34
Curd,	1.02
Salt, [Ash,]	4.47
Water, at 100° C.,	8.17
	100.00

Analysis of the Fat present in the sample.

Soluble Fatty Acids, [on a dry basis]	4.65 %
Insoluble do do do	95.80
Specific Gravity of the dry Fat, at 100° Fah.,	0.9040
Titre,	? °C.

This sample is composed mainly of Animal Fat and is not produced from unadulterated milk, or cream from the same. It contains coloring matter, whereby it is made to resemble butter—the product of the dairy, and is made in imitation and semblance of butter produced from unadulterated milk or cream from the same

Very Respectfully,

Chas M Stillwell

Mr B. F. Van Valkenburgh

State of New York
City of New York } ss.
County of New York

On the seventeenth day of September in the year one thousand eight hundred and eighty five before me personally came Charles M Stillwell to me known, and known to me to be the individual described in, and who executed the foregoing instrument, and he acknowledged that he executed the same.

Leonard J. Savage
Notary Public Kings County & Co. of New York

... was Oleomargarine, and had been manufactured and colored as hereinbefore stated; that he did not tell deponent at any time that the said Oleomargarine so sold to deponent was not Butter, the product of the Dairy; that ~~deponent saw the tubs in which the said Oleomargarine was contained, and~~ no printed label bearing the words "Oleomargarine Butter," was delivered by said Michael Egan to deponent with the Oleomargarine sold to him.

Wherefore, deponent prays that a warrant may issue for the arrest of the said Michael Egan and that he may be dealt with as the law directs.

Sworn to before me this 28th day of September 1885

Edward S. Wilson

Justice.

Sept 17 /64

No 64

STATE OF NEW YORK,
County of New York } ss.:

Edward J. Wilson, being duly sworn, deposes and says:

That he resides in the 153 Irving Street of the City of Brooklyn in the County of Kings and State of New York, and is 30 years of age, and is an agent appointed by JOSIAH K. BROWN, New York State Dairy Commissioner;

That on the 11th day of September, 1885, in the Store occupied by him, No. 223 First avenue ~~street~~, in the City of New York in the County of New York and State of New York, one Michael Egan, against the form and statutes in such cases made and provided, and in violation thereof, and against the peace of the people of the State of New York, had in his possession, with intent to sell the same for Butter made from unadulterated Milk or Cream, a number of pounds of a substance, product, manufacture and compound, which was not Butter made from unadulterated Milk or Cream, but had been made by manufacturing, mixing and compounding with and adding to a small quantity and proportion of natural Milk, Cream or Butter a large quantity and proportion of animal fats or animal or vegetable oils, and was a manufactured oleaginous substance not produced from Milk or Cream; that it had been and was colored with some coloring matter whereby the same was made to resemble Butter, the product of the Dairy, and was so colored thereby, in semblance of and resembled Butter, and did resemble Butter the product of the Dairy; that the said Michael Egan offered said substance, product, manufacture and compound for sale as and for Butter made from unadulterated Milk or Cream at such time and place, with intent to sell the same as and for Butter made from unadulterated Milk or Cream, and sold some considerable portion thereof, to wit, One pound as and for Butter, the product of the Dairy, and represented the same to be Butter at such time and place; that the said substance, product and compound was not natural Butter produced from pure unadulterated Milk, or Cream of the same, and was not Butter the product of the Dairy, and was not made exclusively from Milk or Cream, or both; that it contained some substance for the purpose and with the effect of imparting thereto a color resembling that of yellow Butter and was in imitation and semblance of natural Butter produced from pure unadulterated Milk or Cream of the same, and was colored by some substance to resemble yellow Butter, and was in semblance of natural Butter; that the same was a substance known as Oleomargarine; that it had been made, manufactured and rendered —— out of some animal fat, or animal or vegetable oils not produced from unadulterated Milk, or Cream of the same, in imitation and semblance of natural Butter, produced from pure unadulterated Milk, or Cream of the same, by mixing, compounding with and adding to a small quantity of Milk, Cream or Butter a large quantity and proportion of some animal fats or animal or vegetable oils not produced from Milk or Cream, with design and intent to render, make and produce an article, substance and human food in imitation and semblance of natural Butter.

That the tubs in which the same was contained did not have the words "Oleomargarine Butter" upon the top or side thereof, and such words were not burned in or painted thereon with permanent black paint, in a straight line not less than one half inch in length, where deponent could see such brand; that no printed label, bearing the words "Oleomargarine Butter" was delivered therewith to the purchaser thereof.

Deponent further says that on said 11th day of September 1885, he went to the said Store of said Michael Egan ~~of said~~ in said City and County, and told said Michael Egan that he wanted to buy some Butter; that said Michael Egan showed deponent a number of pounds of the said Oleomargarine hereinbefore mentioned, offered the same to deponent for sale, and sold the same to deponent; that he so sold to deponent One pound thereof, and deponent then paid to him therefor the agreed price thereof, amounting to the sum of $ 0.20; that, as deponent believes and charges the said Michael Egan of so offering and selling the same, well knowing that it was Oleomargarine, and had been manufactured and colored as hereinbefore stated; that he did not tell deponent at any time that the said Oleomargarine so sold to deponent was not Butter, the product of the Dairy; that ~~deponent saw the tubs in which the said Oleomargarine was contained, and~~ no printed label bearing the words "Oleomargarine Butter," was delivered by said Michael Egan to deponent with the Oleomargarine sold to him.

Wherefore, deponent prays that a warrant may issue for the arrest of the said Michael Egan and that he may be dealt with as the law directs.

Sworn to before me this 28th day of September 1885

Edward J. Wilson

Edward S. Heim
Justice.

0723

Sec. 151. Police Court 3d 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 Edward S Olson of No. 153 Dry [illegible] Street, that on the 11 day of September 188 5 at the City of New York in the County of New York, 203 Michael Cagan of 223 1st avenue did sell to complainant one pound of Oleomargarine as butter in violation of the law

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 3d *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 28th *day of* September 188 5

W. J. Oliver POLICE JUSTICE.

Police Court ..... **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Edward S Olson

vs

Michael Cagan

Warrant—General.

Dated September 28 188 5

[illegible] *Magistrate.*

[illegible] *Officer.*

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

[illegible] *Officer.*

Dated September 28 188 5

This Warrant may be executed on Sunday or at night.

..... *Police Justice.*

REMARKS.

Time of Arrest, Sept 28 3 P.M.

Native of Ire

Age, 28

Sex, Male

Complexion,

Color, Wh

Profession, Grocer

Married, Sep

Single, No

Read, Yes

Write, Yes

No Prior [illegible]

0724

Sec. 198—200.

3d District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Michael H. Eagan 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 Michael H. Eagan

Question. How old are you?

Answer 28 years

Question. Where were you born?

Answer. Ireland

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

Answer. 203 first avenue nearly four years

Question What is your business or profession?

Answer. Grocer

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 I demand a trial by Jury

Michael H. Eagan

Taken before me this 30 *day of* April 1885

Geo. Ruhl

Police Justice.

0725

BOX:
191
FOLDER:
1933
DESCRIPTION:
Eickron, Enos

DATE:
10/08/85

1933

No. 41

Witnesses:

Counsel, Smith

Filed 8 day of Oct 1885

Pleads Not Guilty

THE PEOPLE

vs.

43. E. M. Barber

Ernest Eidmann

Grand Larceny 2nd degree
[Sections 528, 531, Penal Code].

RANDOLPH B. MARTINE,

District Attorney.

Oct. 15

A True Bill.

Pr Oct 14/85
Heads Pr

Oct 14

J. H. Amidon

~~[illegible]~~

Foreman.

Pen: Three yrs

Pr —

14

0727

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Emma Anderson

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

Emma Anderson

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

The said Emma Anderson,

late of the First Ward of the City of New York, in the County of New York aforesaid on the [illegible] day of [illegible], in the year of our Lord one thousand eight hundred and eighty-[illegible], at the Ward, City and County aforesaid, with force and arms,

twenty pieces of cloth of the value of one dollar and seventy five cents each piece, and twenty five yards of cloth of the value of one dollar each yard,

of the goods, chattels and personal property of one Michael Sutter,

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.

Randolph B. Martine
District Attorney.

0728

No 41 — 1895

Police Court — **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Michael Gluten
499 Broadway

Edward Ocklan

Offence Larceny Grand

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Witnesses _____

No. 4 Pr Ach 3 at _____ Street.
10 a.m.

No. _____ Street,

No. _____ Street,

$ 500 to answer

Dated October 1st 1895

Arthur Leary Magistrate

Arrested by _____ Officer.

Order filed _____ Precinct.

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 Ernis Eickron *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 October 1st 1895 — *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 he to be discharged.*

Dated _____ 188 — *Police Justice.*

0729

Sec. 151.

1st ..... District Police Court.

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 any Marshal or Policeman of the City of New York:

Whereas, Complaint ~~on oath~~, has been made before ~~the undersigned~~, one of the *Police Justices* in and for the said City, by Michael Shulz

of No. 1499 Broadway ~~Street~~, that ~~on the~~ between Feby 1st and Sept 10 ~~day of~~ 188 at the City of New York, in the County of New York, the following article to wit:

Japanese Carving Clock

of the value of Thirty five Dollars, the property of David Present Hannah Present and Complainant was taken, stolen, and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Louis Erickson

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said *Sheriff, Marshals and Policemen*, and every of you, to apprehend the body of the said Defendant and forthwith bring him 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 7th *day of* Sept 188

Solon B. Smith POLICE JUSTICE.

POLICE COURT ..... **DISTRICT.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Warrant—Larceny.

Dated Sept. 7 188

Solon B. Smith *Magistrate*

Lucellus Ashley *Officer*

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

..... *Officer.*

Dated 188

This Warrant may be executed on Sunday or at night.

..... *Police Justice.*

REMARKS.

Time of Arrest, ...

Native of .....

Age, ...

Sex .....

Complexion, ...

Color .....

Profession, ...

Married .....

Single, ...

Read, ...

Write, ...

0730

Sec. 198—200.

1st District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Emma Eickhorn 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. Emma Eickhorn

Question. How old are you?

Answer 43 years

Question. Where were you born?

Answer. Rochester this State

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

Answer. In East New York

Question What is your business or profession?

Answer. Worker

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

Emma Eickhorn

Taken before me this 1st *day of* October *188* 4

John Mott *Police Justice.*

0731

1st

Police Court— 1st **District.** **Affidavit—Larceny.**

City and County of New York, } ss.:

Michael Shuter

of No. 499 Broadway Street, aged 33 years, occupation Clothing being duly sworn deposes and says, that ~~on the~~ between July 18th and Oct 10/85 ~~day of~~ ~~188~~ 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:

200 pieces of Casimere Cloth each piece varying in measurement from One yard and a quarter to two yards and a half all together of the value of thirty five dollars

the property of David Present, Samuel Present and Michael Shuter comprising the firm of Present & Co

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 Ennis Eickron

from the fact that said defendant during the period above mentioned was employed by the above named firm in the capacity as Cutter and upon his being arrested in Brooklyn deponent was informed by the Police Authories of Brooklyn that they had found in defendants possession the above named property whereupon deponent went to Brooklyn and there identified said property as being the property of the above firm

Sworn to before me this 24th day of Sept 1885

M Shuter

Police Justice

Sworn to before me, this day of 188

Police Justice.

0732

Police Court, 1 of District.

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

Michael Shuh
Charles Corkran

Offence—LARCENY.

2
3
4

Dated 188

Michael Shuh Magistrate.
Michael Kiedelberg Officer.
Charles F. Clerk.

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

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

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

Dated 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.*

0733

BOX:
191
FOLDER:
1933
DESCRIPTION:
Ellis, Frank

DATE:
10/22/85

1933

Witnesses:

Frederick Busch
Officer Dempsey

Mrs Carlan
Sister of Deft.
Has been arrested
for assault

No 217

Counsel,

Filed 22 day of Oct 1887

Pleads Not Guilty 23.

THE PEOPLE

vs.

Frank Ellis

Robbery, ~~Second~~ degree.
(MONEY.)
(Secs. 224 and 225, Penal Code.)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

W A Dunedon
Foreman.

Oct 19 1887

Tried & Convicted
Oct 30 J. P.
Oct 30 /88

POOR QUALITY ORIGINALS

Witnesses:

Frederick Busch

Officer Dempsey

Mrs Carlan

Sister of Deft.

No Warrants for assault

Counsel,

Filed 22 day of [illegible] 188[illegible]

Pleads Not Guilty 53.

THE PEOPLE

vs.

Frank Ellis

Robbery, ~~Second~~ degree.
(MONEY.)
(Secs. 224 and 229, Penal Code.)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

[illegible]

Foreman.

Delay 1st

Trial & Convicted

[illegible]

October [illegible] 20

5619

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Frank Ellis

The Grand Jury of the City and County of New York, by this indictment accuse Frank Ellis of the crime of ROBBERY IN THE second DEGREE, committed as follows:

The said Frank Ellis,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the fifteenth day of October, in the year of our Lord one thousand eight hundred and eighty-five, in the night time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one Frederick Porch, in the peace of the said People then and there being, feloniously did make an assault, and one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars ——; two promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each; five promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each; ten promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each; ten promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each; one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars ——; two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each; five promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each; divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of twenty five dollars, and one pocket book of the value of one dollar,

of the goods, chattels and personal property of the said Frederick Porch, from the person of the said Frederick Porch, against the will, and by violence to the person of the said Frederick Porch, then and there violently and feloniously did rob, 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.

RANDOLPH B. MARTINE,
District Attorney.

Police Court— 3d District.

CITY AND COUNTY OF NEW YORK, } ss

Frederick Bosch

of No. 100 West 30th Street, Aged 25 Years

Occupation Bar-tender being duly sworn, deposes and says, that on the 15 day of October 1885, at the 10th Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

One Pocket-Book Containing gold and lawful money of the United States to the amount and value of Twenty-Five dollars

~~of the value of~~

~~DOLLARS~~

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away, by force and violence as aforesaid by

Frank Ellis, man-there, from the fact that while deponent was walking in the Bowery on the corner of Grand Street, about the hour of 11½ o'clock P. M. of said day, the said defendant suddenly seized hold of deponent by the throat and

Sworn to before me this day of 188

Police Justice.

POOR QUALITY ORIGINALS

0738

his hands and choked deponent so that deponent became partially insensible and fell to the sidewalk, and immediately thereafter deponent discovered that said pocket-book and its contents had been stolen and carried away out of the right side pocket of the pants then upon deponents person.

Sworn to before me this
16 day of October 1885 } Fred Bosch
Solon B. Smith
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 Frank Ellis guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Hundred Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated Oct 16 188 5 Solon B. Smith 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.

No 217 3d 422

Police Court, 3 District.

Offence—ROBBERY.

THE PEOPLE, &c.,
on the complaint of
Frederick Bosch
100 W. 30th
1 Frank Ellis
2
3
4

Dated October 16 188 5
Smith Magistrate.
Officer.
Clerk.
Witnesses Robert J. Dempsey
10 Pct. Police Street,
No. Street,
No. Street,
$1000 to answer General Sessions.

Sec. 198—200.

3rd District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Frank Ellis 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 Frank Ellis

Question. How old are you?

Answer 22 years of age

Question. Where were you born?

Answer. New York City

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

Answer. 501 Pearl St. all my life

Question What is your business or profession?

Answer Truck-driver

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

Answer. I am not guilty. That is all I have to say

Taken before me this 10 day of October 188[illegible]

[illegible] Police Justice.

Frank Ellis

Sec. 198—200.

3d District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Frank Ellis 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 Frank Ellis

Question. How old are you?

Answer 22 years of age

Question. Where were you born?

Answer. New York City

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

Answer. 501 Pearl St. all my life.

Question What is your business or profession?

Answer Truck-driver

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

Answer. I am not guilty. That is all I have to say

Frank Ellis

Taken before me this 10 *day of* October *188*9

Police Justice.

Testimony in the case of
Frank Ellis
filed Oct. 1885

The People
vs.
Frank Ellis.

Court of General Sessions, Part I.
Before Recorder Smyth.

October 27, 1885.

Indictment for robbery in the second degree.

Frederick Bosche sworn. I live in 71 Rosevelt Street now and on the 15th of October I lived in west 30th Street, I saw the defendant on that day between 12 and 13 in the Bowery on the sidewalk, I guess near eleven o'clock I had twenty-five dollars in my right pants pocket in a leather pocket-book, I turned around and he got me by the neck and choked me and I fell down and I found out afterwards that my money was gone, I felt somebody was in my pocket and took the money away, I had my money in my pocket at the time I fell on the sidewalk, I hollered for police; the defendant ran away and the policeman caught him, it was not far away from where I was attacked, I identified him as the man who choked me, I never found my pocket-book after that.

Cross Examined. I am a bar-tender, I took a car to come down town to see a friend at 71 Rosevelt Street I got there about eight o'clock, after I left there I stopped at the corner of Division Street and Bowery and had a glass of beer and I took two glasses in Rosevelt Street, I left there about half past ten, I have been in this country two years and a half. I saw the defendant's face before he caught me by the neck, I never saw him before that night, I saw him the same night in the Station House after he was arrested, I was not so drunk that night that the Sergeant would not allow me to identify him until morning.

I

Robert F. Dempsey sworn. I am a police officer attached to the 10th precinct in this city, I was on duty on the night of the 15th of October last in the Bowery in the neighborhood of eleven o'clock, I saw the complainant that night; I saw three men struggling on the street and I ran down, I saw the complainant fall on the sidewalk and saw the defendant and another man run away, I gave chase when I heard the cry of police, the two men ran from the complainant across the Bowery towards Pell Street, I caught the prisoner and the other man got away, the prisoner was running; the complainant was sober enough to identify the defendant that night when I brought him back, I brought them to the Station House and the complainant made a complaint that night; the defendant is one of the men that I saw struggling around the complainant.

Cross Examined. I was at a distance of about a hundred feet when I first heard the noise, I did not see any pocket-book on that occasion; the complainant may have been drinking but he was not drunk, he was able to walk and to talk in the Station House, he identified the defendant as the man who took his pocket-book. Pell Street is very dark and he was arrested on the corner of Pell. No. 30 Bowery is in the sixth ward, I chased the defendant from the 10th ward side over into the sixth ward.

The counsel for the defendant moved for his acquittal upon the ground that there was no proof to show what ward this happened in.

The Court said that it would take judicial notice that the Bowery is in the city and county of New York.

Frank Ellis sworn and examined in his own behalf, testified: I live at 501 Pearl Street, I should take that to be about seven or eight blocks from 19 Bowery, I remember the night I was arrested. About half past six I ate my supper in the house and I got ten cents from my sister and staid at the house until it was after seve o'clock reading the news; then I went up to Miner's Theater and saw the performance there and was going home and coming down the Bowery I was going across the street, then was a car coming along, I jumped out of the way of the car quickly and jumped on to the sidewalk; as soon as I did this officer met me and struck me on the head with a club, became from behind me he knocked me head over heels and split my pants; as soon as I fell down he searched all my pockets to see if I had anything; he said, get up, I have got you this time. I said, what for and he said, for robbing this man. I said, you got the wrong man this time he walked me across the street to the complainant who was after getting up; there was a crowd gathered around and the officer told him to come around to the Station House, he complainant said he would not go and the officer told him to come and press the charge; he asked me three or four times while we were waking towards Grand Street what did we do with the pocket-book, I told him I did not see the pocket-book or touch him; it seems as though the complainant had been drinking and the policeman made a charge of robbery against me at the station House, I was locked down and the next morning the complainant identified me before Justice Smith. I did not rob this man.

The Jury rendered a verdict of guilty.

0745

BOX:
191
FOLDER:
1933
DESCRIPTION:
Engelhardt, Jacob

DATE:
10/16/85

1933

Witnesses :

.....

.....

.....

.....

Trenchard & Gross
3 Chambers St

No. 139

Counsel, ~~Gratten~~

Filed 16 day of Oct 1888

Pleads, Not Guilty 21

THE PEOPLE

vs.

B

Jacob Engelhardt

ASSAULT IN THE THIRD DEGREE.

(Section 219, Penal Code.)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill. Off for my term
G.S.A

W. D. Amidon

Foreman

Part II June 12. 1888
~~Convicted and sentenced~~
Tried & Acquitted
3 Chambers St

POOR QUALITY ORIGINAL

0146

0747

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

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

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

The said

late of the First Ward of the City of New York, in the County of New York aforesaid, on the day of in the year of our Lord one thousand eight hundred and eighty- , at the Ward, City and County aforesaid, in and upon the body of one in the peace of the said people then and there being, with force and arms, unlawfully did make an assault and the said did then and there unlawfully beat, wound and illtreat, to the great damage of 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.

RANDOLPH B. MARTINE,

District Attorney.

Witnesses:

.....

.....

.....

.....

Michael C. Gross
3 Chambers St

No. 139

Counsel, ~~[illegible]~~

Filed 16 day of Oct 1888

Pleads, Not Guilty

THE PEOPLE

vs.

B

Jacob Engelhardt

ASSAULT IN THE THIRD DEGREE.

(Section 219, Penal Code.)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill. Off for mag term
G.S.A

[illegible] Foreman

Part II June 12. 1888
~~Convicted and sentenced~~
Tried & Acquitted
3 Chambers

POOR QUALITY ORIGINAL

8619

0749

BAILED,

No. 1, by John Brill

Residence 436 E 53 Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street

No 4, by

Residence Street.

I hereby consent that this case be transferred to the Court of General Sessions for trial upon the indictment.

Dated June 12 188 8

Police Court 1 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

2

Offence Assault & Battery

Magistrate.

Officer.

Precinct.

Witnesses

No. 1 Street.

No. 2 Street.

No. 3 Street.

No. 4 Street.

to answer

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named 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 July 188 5 John Hyman Police Justice.

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

Dated July 8 188 5. John Hyman 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.

0750

Sec. 198—200.

4th District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Engelhardt 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. Jacob Engelhardt

Question. How old are you?

Answer. 47 years

Question. Where were you born?

Answer. Germany

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

Answer. 537 West 54th Street 15 years

Question What is your business or profession?

Answer. Weis Bier Brewery

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 found the complainant beating my boy who is an idiot; & in endeavoring to separate them the complainant struck me. I did not remember striking him.

Jacob Engelhardt

Taken before me this 5 *day of* July 1885

Geo. Ehrhardt *Police Justice.*

0751

FORM 11.

Police Court— H **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Zwinlan

vs.

Engelhardt

AFFIDAVIT, A. & B.

Dated July 8 188

Gorman *Justice.*

Geltes *Officer.*

22

Witness

$ ..... *to Ans.* ..... *Sess.*

Bailed by

No.

0752

Police Court— 11 District.

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

John Linden

of No. 14 08 West 52nd Street,

being duly sworn, deposes and says, that

on Tuesday the 7 day of July

in the year 1885, at the City of New York, in the County of New York,

he was violently **ASSAULTED** and **BEATEN** by Jacob Engelhardt (Hawkins) without cause or provocation, then charged with

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 the above assault, &c., and be dealt with according to law.

Sworn to before me, this 7

day of July 1885

John Flynn *Police Justice.*

John Linden

N.Y. Special Sessions

John Dingman

vs

Jacob Englehart

Notice of Motion and Affidavits on application to have this Case place on Court of General Sessions

M. J. Cichels
Atty for deft
Rec'd a copy this
[illegible]

Due & timely service of a Copy of the within Notice of Motion & affidavits is hereby admitted
N.Y. July 22/85

0754

New York Court of Special Sessions

John Zeigler

vs

Jacob Englehardt

City & County of New York ss:

Being duly sworn says that he has read the affidavit of Mr J Castello herein annexed, and [illegible] Castello and that the same is [illegible] in all particulars in which it refers to the proceedings had before the Police Justice and as to deponent's knowledge [illegible] and a trial by [illegible] under all the Circumstances.

Deponent further says that ~~he is informed and believes~~ that the above named Complainant ~~is actuated~~ has brought suit against the [illegible] of the deponent for against [illegible] damages at $5,000.

Deponent denies that he has [illegible] complaint, or that [illegible] injury was sustained by said [illegible] arising from the Circumstances [illegible] the Complaint

[illegible] and upon which said Complainant [illegible]

deponent further says that he verily believe that the desire of the Complainant herein to secure a Conviction of the defendant [illegible] not from any desire to vindicate the administration of justice as [illegible] which this deponent [illegible] but because a Conviction however slight the penalty imposed by this Court will the better enable the said Complainant to successfully Endeavor the Civil action for damages before referred to.

And deponent therefore is all the more desirous that the Complaint shall be the more fully [illegible] verily examined by a jury of his fellow Citizens

Sworn to before me this 25th day of July 1883

Rudolph L. Schaefer
Commissioner of Deeds
N. Y. City

Pauper Complaint

0756

City & County of New York ss:

Michael J Cornell

being duly sworn says that he served ~~a copy of the~~ within affidavit and notice upon the District Attorney of the County of the City and County of New York by handing to and leaving with a clerk in the office of said District Attorney whom deponent knew to be in charge of said office in the absence of the chief clerk, a copy of said affidavit and notice

Sworn to before me this 24 day July 1885

Hiram Ketchum
Notary Public
N. Y. Co

M J Cornell

Court of Special Sessions of the Peace
For the City and County of New York

John Quigley

vs

Jacob Englebrecht

City & County of New York ss:

Michael J Castello being duly sworn says that he is the attorney for the defendant above named and acts in that capacity before the Committing Magistrate.

That in the proceedings before the Police Justice it was assumed by deponent and his client that the only steps to be made would be that made herein by the above named plaintiff against the above named defendant and deponent and his client were advised under such circumstances that the defendant might waive a jury trial which was accordingly done.

That after the Complaint herein was taken deponent ascertained for the first time that the officer making the arrest was also a Complainant against the above named defendant and

one Wagner on a charge of assault upon him while in the discharge of his duty. That thereupon, pending the advice of counsel she said defendant withdrew his promise of a jury trial and the undersigned she (State) taking the Complaints and requested that all these charges be sent for trial to the Court of General Sessions and asked that the written promise of jury trial be detached from the papers in the case and destroyed.

All this the Clerk promised defendant would be done, and the papers were accordingly sent to the District Attorney's office. By an oversight however, the promise of trial by jury signed by the defendants Christ Pano left attached to the other papers and on the arraign of the Complaints at the District Attorney's office, "Mr. Thomas" the Chief Clerk, seeing the promise of trial by jury attached to the papers herein ordered the same transferred to this Court as appears by the [illegible] on the papers on file in the office

of the Clerk of this Court)

(Deponent further says that all the charges made against the plaintiff herein against the defendant herein and by the officers making the arrest against [illegible] Wagner (under which letter charge and defendant and Wagner have been indicted) are based upon the same transaction and arise out of the same state of facts. That the testimony of the police and one trial above noted [illegible] establish the guilt or innocence of the defendant herein under the both charges now pending. That deponent [illegible] employing counsel Attorney and handed upon this defendant the subject matter to trial [illegible] Counts and charges of assault, more especially when as the indicted shows no physical injury of any kind the assailant [illegible] inflicts and no marks whatever were left upon the person claiming to have been hurt.

Deponent further says that it was not the intention of the client nor application upon it to avoid the right of the trial

by jury and deponent believes that the papers herein may [illegible] be remanded to the [illegible] a prior to the trial being conducted before a jury.

Deponent is very anxious that a full and careful trial of this charge shall be had before a jury, the more particularly as the plaintiff herein has ~~expressed his purpose to~~ ~~and~~ commenced a Civil action against this defendant for $10.000 damages for assault, defendant being a man in comfortable worldly circumstances.

That from the statements made by the defendant to deponent he is confident, as he is from hearing the testimony of the witnesses before the Justice that defendant will be fully exonerated, on a jury trial.

Sworn to before me this
22nd day of July 1883
Rudolph L. Schaaf
Commissioner of Deeds
N. Y. City

M. J. [illegible]

0761

N.Y. Special Sessions

John Quinlan
vs.
Jacob Englehardt

Sir:

Please take Notice that I will on the annexed affidavits move before the Justices of this Court on Friday, 7th inst. at 10.30 o'clock in the forenoon of said day or as soon after as Counsel can be heard that the Complaint herein be returned to the District Attorney's Office, in order that the same or any indictment found thereupon may be tried in the Court of General Sessions before a jury.

Yours,
M J Kadlecko
Deft's atty
265 Broadway, N.Y.City.

Dated N.Y. July 2 1895

To:
Randolph B. Martine Esq
District Attorney
New York City.

0762

BOX:
191
FOLDER:
1933
DESCRIPTION:
English, James

DATE:
10/22/85

1933

No. 1175

Counsel, ...

Filed 22 day of Oct 1885

Pleads .....

THE PEOPLE

vs.

21, 54 Charles Roh

James J. English

PETIT LARCENY.

[Sections 528, 532, Penal Code].

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Pr Oct 23/85
plead guilty
Pen: Six mos

W. A. Amedon

Foreman.

Witnesses:

Jacob Benson

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

James Smith

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

— James Smith —

of the CRIME OF PETIT LARCENY, committed as follows:

The said James Smith,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the seventeenth day of October, in the year of our Lord one thousand eight hundred and eighty-five, at the Ward, City and County aforesaid, with force and arms,

one chair of the value of one dollar,

of the goods, chattels and personal property of one James Schmitt,

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

Randolph B. Martine
District Attorney

0766

On the 18th day of Oct 1886

Police Court 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Patrick O'Donnell
vs.
1 Anna English
2
3
4

Offence Petit larceny

BAILED,

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

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

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

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

Dated Oct 17 1886

Patrick O'Donnell Complainant.
Anna English Magistrate.
Thomas Leonard Officer.
15 Precinct.
Witnesses Martin Sucher
No. 52 Attorney St Street.

No. ..... Street.

No. ..... Street.

No. ..... Street.
$ 300 to answer Oct 17
Edward ...

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 Anna English *guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of* Three 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 17 1886. David O'Reilly *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.*

0767

Police Court— 2 District.

Affidavit—Larceny.

City and County of New York, } ss.:

Jacob Benson

of No. 5 East 9th Street, aged 46 years,

occupation Waiter being duly sworn

deposes and says, that on the 17 day of October 1885 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:

One antique chair of the value of One dollar

the property of James Blunt in the house and in the body 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 James Singleton (now here) from the fact, that about the hour of 9 A.M. on the above date, deponent saw the defendant in the basement hall of the above mentioned premises, that immediately thereafter he was informed, that the above mentioned property had been stolen, whereupon deponent ran into the street and saw the defendant running away with the above mentioned property in his possession

Jacob Benson

Sworn to before me, this 17 day of October 1885

Police Justice.

0768

Sec. 198—200. 2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

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

Question What is your name?

Answer James J. English

Question. How old are you?

Answer Twenty-One years

Question. Where were you born?

Answer. Ireland

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

Answer. No 54 Clarkson St, Six years

Question What is your business or profession?

Answer. Waiter

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 demand a trial by Jury. James J. English

Taken before me this 17 *day of* July 1885

Police Justice.

0769

BOX:
191

FOLDER:
1933

DESCRIPTION:
Evans, John

DATE:
10/06/85


1933

No. 15

Witnesses:

Counsel,

Filed day of 1885

Pleads,

THE PEOPLE

vs.

John Evans

Burglary in the Third Degree.

[Sections 498, 499.]

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Foreman

Plead Guilty

3 yrs & 10 Mos S.P.

0771

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Evans

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

John Evans

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

The said John Evans,

late of the Fourteenth Ward of the City of New York, in the County of New York, aforesaid, on the Twentieth day of September, in the year of our Lord one thousand eight hundred and eighty-Five, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the dwelling house of one

Frederick Marsden,

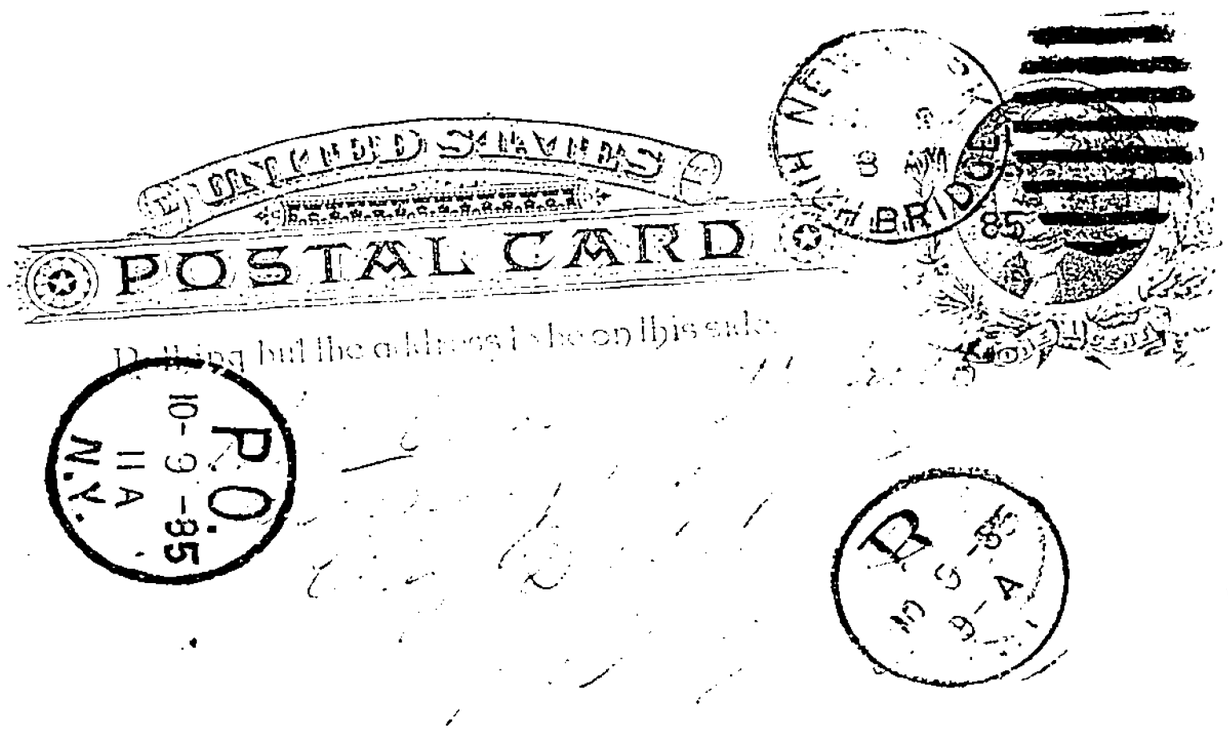
feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

Frederick Marsden,

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.

Randolph B. Martine
District Attorney.

0772



0773

0774

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court— 5 — District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William Dougherty

vs.

318 W. 126 St

John Evans

1 _____

2 _____

3 _____

4 _____

Offence Disorderly

Dated September 8 188 1

Joseph Mogan Magistrate

Christopher Mullen Officer.

2nd Precinct.

Witnesses Thomas F. Hoeuer

No. 39 W. 131 Street.

Thos McCabe

No. 206 E. 123 Street.

William Dougherty

No. 132 E. 126 Street,

Charles Fowler

$1000 to answer

Michael Murray 317 W. 125 St.

Geo " " "

" " " "

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 John Evans

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

Dated Sept 8 188 1 P. Huffy *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 he to be discharged.*

Dated _____ 188 _____ *Police Justice.*

0775

Sec. 198—200.

5 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

John Evans 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 John Evans

Question How old are you?

Answer 19 years

Question. Where were you born?

Answer. US.

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

Answer. 429 E. 33.

Question What is your business or profession?

Answer. Laborer

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 have at present to say

John Evans

Taken before me this 5th *day of* [illegible] 188[illegible]

[illegible]

Police Justice.

0776

12. Police Court 5 District.

City and County of New York, } ss.:

of No. 318 W 126 William Burgoyne Street, aged 25 years, occupation Watchman being duly sworn deposes and says, that the premises No 318 W 126 Street, in the City and County aforesaid, the said being a dwelling house

and which was occupied by deponent as a Residence

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

were BURGLARIOUSLY entered by means of forcibly breaking open two rear doors of said premises, by forcing and breaking the locks of said doors

on the 30th day of September 188 in the day time, ~~and the following property feloniously taken, stolen, and carried away, viz.:~~ and the following property attempted to be stolen and carried away. House hold furniture and Clothes of the value of One hundred dollars

the property of Frederick Marsden and in the care and charge 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 attempted to be taken, stolen, and carried away by John Evans from here

for the reasons following, to wit: That deponent is informed by Thomas J. Florence that he (Florence) heard the Burglar alarm strike in said broken premises and that he then saw said Evans running away from said premises and that he (Florence) tried to stop said Evans and that said Evans pointed a loaded revolving pistol at his head

and continued to run away and that he (Evans) was then arrested. Affiant further says that he security fastened said premises a short time before said premises were broken into.

William Burgoyne

Sworn to before me this 30th day of September 1884

P. J. Leuff Police Justice

Police Court ..... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Burglary ..... Degree

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of $ ..... Bail.

Bailed by .....

No. ..... Street.

0778

CITY AND COUNTY OF NEW YORK, } ss.

Thomas F. Florence

aged 21 years, occupation Saloon Keeper of No. 319 W 127 Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of William Bungoyne and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me this 30 *day of* Sep 188 1 } Thomas F. Florence

P. J. Duffy

Police Justice.

0779

John Evans . Boy 3d
Caught in act and attempted to shoot
prisoner

Witnesses

Wm Burgoyne
Thos F. Florence prisoner
James McCabe
Wm H Jenkins

Michael Mulky
Thos Mulky

0781

END OF
BOX