

0449

BOX:

263

FOLDER:

2531

DESCRIPTION:

Rubens, Frank J.

DATE:

05/23/87



2531

POOR QUALITY ORIGINAL

0450

462 A

Witnesses:

*[Signature]*

Counsel, *S. J. [Signature]*  
Filed, *27* day of *July* 188*8*  
Pleads, *Verdict*

Section *116* Penal Code.  
THE PEOPLE  
vs.  
*no 2 189 B*  
*196 - B*  
*Frank J. Rubens*

RANDOLPH B. MARTINE,  
District Attorney,  
*Part III June 8/87.*  
*Indigent dis. 92 each.*

A True Bill.

*Glynn*  
*For sum 20/19 Foreman.*  
*and 1000000.*  
*30 days C.P.*  
*\$100 fine P.D.*

POOR QUALITY ORIGINAL

0451

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 4 DISTRICT.

of the Park Police John Murphy  
aged 38 years,  
occupation Park Policeman being duly sworn deposes and says  
that on the 13th day of May 1887

at the City of New York, in the County of New York, in the Central Park  
near 5th Avenue, between 101<sup>st</sup> & 102<sup>nd</sup> Streets,  
Frank J. Rubens (now here) did wilfully  
and lewdly expose the private parts of his  
person, to wit, his penis, in the aforesaid  
public place, in presence of several young  
girls, in violation of Section 316 of the  
Penal Code of the State of New York.

John Murphy

Sworn to before me, this 13 day of May 1887

Police Justice

**POOR QUALITY ORIGINAL**

0452

STENOGRAPHERS' MINUTES.

*Court of General Sessions*

BEFORE

*The People vs*

*Hon. Rufus B. Lewis,*

*Frank S. Rubens,*

*Judge*

188

WITNESSES.

DIRECT. CROSS. RE-DIRECT. RE-CROSS.

*John Murphy,*

1

*Frank S. Rubens,*

11

*Aaron Rubenstein*

20

*Gustav Foulke,*

21

*Leopold Feigel,*

22



**POOR QUALITY  
ORIGINAL**

0454

2

- Q About what time ? A. 11 o'clock .
- Q At what place ? A. Between 101st and 102nd Streets, on the east side of the park .
- Q In this city ? A. Yes sir, Central Park .
- Q Was he in the park ? A. He came from the 102nd Street gate--the walk leading from 102nd Street. I am a mounted officer. I was on the drive, walking alongside of my horse. I seen this young man come up the walk; there was a bush between me and him; I seen him lay down on the hill in front of a lot of children and seen him work himself in an indecent manner. I stood where I was till I seen what he was up to; then he stood up and moved further to where the children were, then he stood up and opened his dress and exposed his person. I jumped on my horse, rode up and arrested him .
- Q Did you see the private parts of his person? A. Yes sir .
- Q How far away were these children you speak of ?
- A No more than about five or ten yards.
- Q Were they boys or girls ? A. Little girls as I thought.
- Q How far did you say he was away from them ? A. No more than ten yards. He was on a little hill away from the children .
- Q And if they had looked toward him they could have seen him ? A. They were right in front of him . He got

**POOR QUALITY  
ORIGINAL**

0455

3

off the walk and went on the hill, on the grass .

Q Did they look at him ? A . They were just looking at him .

Q In the park ? A . Yes sir .

Q Near the 102nd Streetgate ? A. Yes sir .

Q What time of day ? A. Eleven o'clock .

Q When you arrested him what was the condition of his clothing ? A. When he seen me riding up he buttoned himself up .

Cross Examination by Mr. Levy:-

Q How long have you been connected with the Park Police ?

A Two years, not two years until the first of July next.

Q You drank some beer that day, didn't you ? A. No sir, I dont drink it at all.

Q You dont drink beer at all ? A. No sir .

Q You say this young man got in at 110th Street ?

A No sir, I did not say any such thing .

Q 102nd Street ? A. He came from the 102nd Street gate.

Q You are sure about that ? A. Yes sir, certainly .

Q Where did he go as soon as he got in through that gate ?

A I am telling you that he came from the gate and laid on the grass .

Q Where did he go as soon as he got there ? A. He came

**POOR QUALITY  
ORIGINAL**

0456

4

towards me, towards the children .

Q On the walk ? A. Yes sir .

Q You were on horseback then ? A. I was dismounted at the time .

Q Leading the horse ? A. Yes sir .

Q And you led the horse up that hill, you say ? A. I led the horse up--I jumped on the horse when I seen him and rode up .

Q And there was a bush between him ? A. Yes sir, at the time I seen him first .

Q When you saw him first there was a bush between you ?

A Yes sir .

Q And he was on the other side of the bush ? A. Yes sir.

Q You were on this side ? A. Yes sir .

Q Do you mean to tell this jury, that if this young man was on the other side of the bush and you were on this side, that you could see him indecently expose himself ?

A Most undoubtedly .

Q You could see through the bush ? A. I seen him . I made it a point to watch him .

Q Could you see him right through the bush ? A. I could see through it .

Q You could see through the bush ? A. Yes sir, I could see through it .

**POOR QUALITY  
ORIGINAL**

0457

5

Q Didn't you say that as soon as you came up the hill this young man closed his pants ? A. Yes sir .

Q And you could you see anything that he indecently exposed if he closed his pants ? A. Before I started I seen it and I jumped on my horse , and when he saw me coming he closed his pants .

Q As soon as you came he closed his pants ? A. When he seen me coming on the horse he closed his pants. I seen it before I got on the horse .

Q Didn't you say that as soon as you ~~came~~ up the hill he closed his pants ? A. I tell you that when I seen him expose his person----

Q Answer the question. Did you say that or not. Did you say that as soon as you approached the hill he closed his pants ? A. Yes sir .

Q What business were you in before you became a Park Policeman ? A. I was a private coachman.

Q A coachman ? A. Yes sir .

Q Were you ever arrested ? A. Never in my life .

Q What do you mean to say when you say that he worked himself off. What do you mean to be understood by that ?

The Court: He says that it is too indecent to say; but that if you wish it he will say it.

**POOR QUALITY  
ORIGINAL**

0458

6

- Q You say these little girls were how many yards away ?  
A Not over ten .
- Q They were not two blocks away, were they? A. Not over ten yards. No sir .
- Q You say that these little girls actually observed this act, did they ? A. They must have; they were looking at him .
- Q Do you know that they did ? A. I cannot say whether they seen it but they were right in front of him .
- Q You would not swear that they saw it ? A. I cannot say that they seen it .
- Q Then you wont swear that they did see it ? A. I cannot say; they were only children .
- Q You wont say that they did see it. You saw it ?  
A Yes sir .
- Q But you wont say that the young children saw it ?  
A I cannot say; they were looking towards him; little children.
- Q You say they were looking at it ? A. Looking towards him.
- Q Looking at it? A. No sir, at him.
- Q Will you tell this jury that these young girls were capable of looking ?

Question withdrawn .

**POOR QUALITY  
ORIGINAL**

0459

7

Q You wont swear that they seen it ?

Objected to as irrelevant.

The Court: He says that he cannot swear that they saw it , but that they were looking towards him.

Q How many girls were there ? A. There was--I could not exactly say, but I think eight or nine .

Q How old were the girls ? A. Well, I thought they were from eight to twelve years old .

Q From eight to twelve ? A. Yes sir, about that ,

Q And about eight or nine girls ? A. I think there was as many as that .

Q You were on this horse when you rode up that hill?

A Yes sir, I was on the horse when I was riding towards him .

Q Your horse is about seven feet high ? A. I guess not .

Q How high is your horse ? A. Well, my horse is about fifteen and a half hands high .

Q How far is it from the bottom of that hill, the place where you commenced to go up that hill, to the place where this young man was ? A. About seventy five yards from the drive to the spot where he was. This bush was about ten yards from the drive, because people on the drive could see everything that he was doing just

**POOR QUALITY  
ORIGINAL**

0460

8

as well as the children in front of him .

Q Didn't you swear at the Police Court that this act was committed and is it not so charged in the indictment, between 101st Street and 102nd Street and 5th Avenue ?

A Not on 5th Avenue; in the park .

Q Didn't you swear in the Police Court "on 5th Avenue"?

A No sir .

Q Is there a hill there in 101st Street and 102nd Street and 5th Avenue ? A. Yes sir, the same hill is there to-day .

Q Is there a hill there or not ? A. Yes sir .

Q You were on the drive when this man went into the 102nd Street gate, standing with your horse on the drive ?

A I did not see him come in the gate; I saw him on the walk .

Q You did not see him coming in the gate ? A. No sir .

Q You said that a few moments ago on the direct examination didn't you ? A. No sir; I said he came on the walk leading from the 102nd Street gate.

Q Didn't you say that he came---"I seen him coming in through the 102nd Street gate" didn't you say that ? A. I did not say that .

Q You are positive you didn't say that ? A. I did not see him coming in there. I say no.

POOR QUALITY  
ORIGINAL

0461

9

Q As soon as you jumped on your horse and rode up that hill with your horse, he buttoned his pants right away ?

A Yes sir .

Q How far were these girls you say from this defendant - from where he was ? A. 10 yards .

Q Were they on the other side of the bush or this side of the bush ? A. There was no bush between them and him .

Q The bush was between you and he ? A. Yes sir .

Q How far were you, when you commenced to approach that hill or go up that hill, from these girls ?

A About fifty yards from the girls. They were just about equal from me--him and them .

Q Both at an equal distance ? A. Yes sir .

Q Then they must have been at the same place ? A. They were in that direction, and he was here. (indicating)

Q What was the difference, how far about ? A. About fifty yards .

Q Didn't you say the girls were 75 yards from this young man ? A. I did not . I said I was 75 yards away .

Q How far was it then from where you were up to where these girls were ? A. Well, about the same distance as it was from me to him, but they were only a short distance across the walk from him--about ten yards from him .

**POOR QUALITY  
ORIGINAL**

0462

10

- Q When you came up the hill did you look at these girls or look at this young man ? A. I was looking at them both; I looked at them and when I looked at him, I was bound to have him though .
- Q When you arrested this young man wasn't he sitting on the grass ? A. No sir, he jumped right up and buttoned his clothes .
- Q Wasn't he sitting on the grass ? A. No sir, he was standing up when I arrested him .
- Q What kind of weather was it when you arrested him ?  
A It was a fine day, the sun was shining .
- Q A very warm day ? A. Yes sir, warm .
- Q When you arrested this young man, did not you say to him "I will take you on suspicion. Come along with me" ?  
A I never mentioned the word .
- Q You did not ? A. No sir .
- Q You positively swear to that ? A. Yes sir .
- Q When you passed these young girls didn't this young man say to you "Take these girls along as witnesses " when he passed them ? A. We did not pass them at all .
- Q You did not pass the girls ? A. No sir .
- Q You are sure of that ? A. Positive.
- Q Did he say anything of that kind ? A. He said "I want

**POOR QUALITY  
ORIGINAL**

0463

11

a witness"; the girls were all too young .

Q And that is why you did not bring them ? A. I would not .

Q He told you to bring them ? A. He told me to bring them; the children were too young .

People rest .

-----  
Mr. Levy opens for the defense.

FRANK I. RUBENS, the defendant, called as a witness on his own behalf, testified as follows:-

Direct Examination by Mr. Levy:-

Q Where do you reside ? A. Harlem .

Q What is your business ? A. I am a salesman for a Leaf Tobacco house .

Q On the 13th day of May did you go to the park ?

A Yes sir .

Q You were going to collect some bills on the west side ?

A Yes sir .

Q And what entrance did you go in ? A. 110th Street and 5th Avenue :.

**POOR QUALITY  
ORIGINAL**

0464

13

Q And walked down to what street ? A. I had been walking around the park for three hours and a half; when I sat down there it must have been about 92nd Street; I am certain it was not 101st Street.

Q Just answer my questions. There was no seat near there?

A No sir .

Q You did not feel well that morning ? A. I felt very sick .

Q You sat there on the grass reading the paper ? A. Yes sir, the morning paper .

Q And will you tell us in your own way what you did and what the officer did there ? A. On that morning after eating my breakfast I felt sick, and thinking by taking a walk through the park perhaps the fresh air might do me good---after walking through the park for three hours and a half, I felt pretty tired . I was sitting on the grass, I was only sitting for about five minutes when the officer came up on horseback and said he would have to arrest me . I asked him what he would arrest me for--sitting on the grass. He says:"Any how, I will take you in on suspicion". After walking for five minutes he told me that he was very sorry that he arrested me, but that since he had me in his hands he could not let me go. The officer smelled of liquor and staggered a good deal, and when we

**POOR QUALITY  
ORIGINAL**

0465

13

got near the Arsenal he came pretty near falling only he had hold of my coat collar and I held him up. He also used profane language toward me .

Q The driveway is considerable distance from the roadway, is it not ? A. Yes sir, it is ?.

Q About what distance is it ? A. About two blocks .

Q There are a good many trees around there ? A . Yes sir.

Q You were sitting on the grass reading the paper ?

A Yes sir .

Q And the policeman was on horseback ? A. Yes sir .

Q And he came riding up with his horse ? A. Yes sir .

Q And you looked up and seen the policeman there ?

A Yes sir, I did .

Q And he jumped off ? A. Yes sir, he jumped off his horse and says: "You are my prisoner".

Q Did he say "I will take you on suspicion"? A. Yes sir, that is what he said .

Q "I will take you on suspicion"? A. Yes sir .

Q Did you see any girls there ? A. Yes sir, I did, I seen some ladies there also .

Q Married women about I guess ? A. With their children, I suppose .

Q How many were there ? A. Two ladies and three children.

**POOR QUALITY  
ORIGINAL**

0466

14

- Q How far were they from you ? A. About a block and a half .
- Q A good distance ? A. Yes sir .
- Q They could not see you unless they walked up ?
- A No sir, the road turned around, the ladies were sitting on benches .
- Q When he arrested you and you passed these ladies you told the officer to take them along as witnesses ?
- A Yes sir, I did .
- Q And he refused ? A. Yes sir, he refused to do so .
- Q Now Mr. Rubens, did you expose any part of your private person ? A. No sir, none whatever, I have got too much self respect for anything of the kind .
- Q You have no cause for doing anything of the kind ?
- A. No cause whatsoever .
- Q Have you ever been arrested before ? A. Never in my life .
- Q You have never been in trouble ? A. No sir .
- Q This policeman was about two blocks from you ?
- A Fully two blocks .
- Q And on his horse---a pretty high horse ? A. Yes sir .
- Q A good many trees around there ? A. Yes sir .
- Q No hill there at all ? A. No sir, no hill whatever .
- Q No bush there ? A. No sir, no bush there .

**POOR QUALITY  
ORIGINAL**

0467

15

Cross Examination By Mr. Davis:-

Q Now, you know the park pretty well, Mr. Rubens ?

A Well, I have been there sometime .

Q You know it well enough to swear here to-day that there was no bush there ? A. Yes sir .

Q You say when you first saw the officer he was on his horse ? A. I seen the officer on his horse about two blocks distant .

Q Was he on the roadway ? A. On the roadway, yes sir .

Q When you saw him ? A. Yes sir .

Q Then he came across the hill up toward where you were ?

A There is no hill there at all .

Q No hill there ? A. No sir .

Q The officer says there is a hill there ? A. Well, I did not see no hill there; I seen him coming and I waited there until he came along .

Q No hill there and no bush ? A. No sir .

Q The officer says that he was walking beside his horse, that then he jumped on his horse and rode up the hill after you ? A. When I seen him he was on his horse on the roadway, coming in my direction; I watched him all the way along .

Q What business are you in ? A. I am a salesman for a Leaf Tobacco House .

**POOR QUALITY  
ORIGINAL**

0468

16

- Q What leaf tobacco house ? A. G. Rosenberg.
- Q Where are they ? A. No. 68 First Avenue .
- Q Are you working for them now ? A. Yes sir .
- Q How long have you been working for them ? A. About eight months .
- Q Were you at work this day ? A. Yes sir, I was--well, I went to work that afternoon--that morning I felt tired and thought I would go to the park first; I had to see some parties on the west side in the afternoon .
- Q What time did you go into the park that day ? A. About seven o'clock in the morning .
- Q At the 110th Street entrance ? A. Yes sir .
- Q The east side of the west side ? A. The east side, 5th Avenue .
- Q Where had you been immediately before that ? A. I came to the park from home .
- Q Where do you live ? A. 176 East 109th Street .
- Q You were in the park three hours and a half ?
- A Fully three hours and a half.
- Q Although you were at work that day, you spent three hours and a half in the park that morning ? A. Yes sir; I had an engagement to see some parties in the afternoon .
- Q You dont work mornings ? A. I do; that morning I thought I would take a little fresh air .

**POOR QUALITY  
ORIGINAL**

0469

17

Q Now when you saw these ladies and children, as you say, how far away from you were they in the park? A. Well I saw three children and two ladies .

Q That is all you saw? A. Yes sir, about block and a half distant .

Q You are sure of that? A. I am certain of that .

Q You cannot be mistaken? A. I cannot be mistaken .

Q A block and a half? A. Yes sir .

Q No other children or ladies nearer than that? A. No sir .

Q Sure? A. I am certain of that .

Q Sure of that? A. Certain of that .

Q Positive? A. Yes sir .

Q And they could not have seen you under any circumstances, even if you had exposed yourself, at that distance?

A Yes sir, they could if I had exposed myself .

Q A block and a half away? A. Yes sir .

Q You think they could? A. Yes sir . I think they could .

Q When you were arrested did you pass these ladies?

A Yes sir, we passed these ladies .

Q That was the time you said to take them along as witnesses? A. I said to the officer "Take witnesses along" I insisted upon it but he refused to do so .

Q You wanted these children to come along as witnesses?

A Yes sir, I did .

**POOR QUALITY  
ORIGINAL**

0470

18

Q They were a block and a half away ? A. Yes sir .

Q At that distance they could have seen you ? A. I think they could .

Q If you had exposed yourself ? A. Yes sir .

Q You think they could ? A. Yes sir .

By The COURT:-

Q When the officer arrested you what did he say ?

A He says: "I will take you in on suspicion".

Q Suspicion of what ? A. He says "You got no business sitting on the grass".

Q He took you in on suspicion of sitting on the grass ?

A "I dont like the looks of you".

Q That is what he said : "I will take you in on suspicion-- sitting on the grass"? A . "I will take you in".

Q What for? A. He says "Sitting on the grass"; then afterwards he told me on suspicion .

Q Suspicion of what ? A. That I could not find out from him .

Q He said he would you take you in for sitting on the grass, and you were sitting on the grass ? A. Yes sir .

Q Then he told you he would take you in on suspicion ?

A Yes sir .

Q And then he told you what ? What did you want him to take these little girls in as witnesses for ? A. I did

POOR QUALITY  
ORIGINAL

0471

19

not want to be accused of such a crime .

Q Sitting on the grass? A. Well after that he told me he would take me in for disorderly conduct . --those are the words he used .

Q Now when he came up to you what did he say first ?

A He says:"You are my prisoner".

Q Then what did he say ? A. Then he says:"You have got no business sitting on the grass".

Q Then what ? A. Well, he did not say anything for five minutes .

Q But, I want to find out what you wanted these girls for . You say you were sitting on the grass, what could they do for you if you were only sitting on the grass ? They could testify that you were sitting on the grass ?

A Yes sir .

Q Why did you want them brought in as witnesses ?

A The officer says "disorderly conduct":.

Q Is that all ? A. Yes sir, and if I done anything disorderly I wanted him to get witnesses to it .

By Mr. Davis:-

Q Did you know this officer before ? A. Never seen him in my life .

Q You dont know why he should have any grudge against you?

A No sir, he says "I dont like the looks of you".

**POOR QUALITY  
ORIGINAL**

0472

20

Q You are a travelling salesman ? A. Yes sir .

Q And go around the city selling leaf tobacco? A. Yes  
sir .

AARON RUBENSTEIN, a witness called on behalf of the defendant,  
being duly sworn testified as follows:-

Direct Examination by Mr. Levy:-

Q Where do you reside ? A. 176 East 79th Street .

Q In what business are you employed ? A. Segar business .

Q How long have you been employed there ? A. 23 years in  
one place .

Q The defendant is your son ? A . Yes sir .

Q Never given you any trouble ? A. Never .

Q He has been a hardworking, honest young man ? A. All the  
time working .

Q Always paid his board ? A. Yes sir, and gave me the  
money .

Q He is a good natured, good hearted boy ?

A Yes sir, always was .

Cross Examination by Mr. Davis:-

Q What is your name ? A. Aaron Rubenstein .

Q Do you know your sons writing when you see it ?

A Frank I. Rubens. I get called all over Rubens too in the  
shop .

**POOR QUALITY  
ORIGINAL**

0473

21

Q See if this is your sons writing, see if you recognize that "Frank I. Rubens"? A. He got into that name when he was a little boy .

Q That is your son? (pointing at defendant ) A. Yes sir.

Q His name is not Rubens ? A. It is Rubenstein. I got called that way; when he was a little boy he got into that name .

Q For a good number of years he has been called Rubens ?

A He is about twenty years old .

Q Has he been called anything else ? A. No sir .

Q Have you any other name ? A. Only Rubens--and Rubenstein .

Q What is your name ? A. Rubenstein, and they called me Rubens .

GUSTAV FOULKE, a witness called on behalf of the defendant, being duly sworn, testified as follows:-

Q Where do you reside ? A. 206 East 79th Street .

Q You are a banker ? A. Broker .

Q Mr. Rubens was employed with you at one time, was he not?

A About two years ago .

Q You found him an honest industrious young man ?

A I did .

**POOR QUALITY  
ORIGINAL**

0474

22

Q Never had any trouble with him? A. Never had any trouble .

Q This is your signature, is it not? (handing witness a paper)? A. Yes sir .

By the Court:

Q What do you know about his character for morality and licentiousness, that trait of character?

A I have no knowledge of it, your Honor, I know Mr. Rubens well from down town in business .

Q As to his moral character, that trait of his character, you know nothing at all? A. I do not .

Q From what you have seen of him he is an honest young man?

A Yes sir, he was recommended to me when I took him, and he was with me about five or six months .

Q That was two years ago? A. Yes sir . During that time I can only state that he acted very squarely in every respect.

Q He always behaved himself very well? A. Yes sir .

LEOPOLD SEIGEL, a witness called on behalf of the defendant, being duly sworn, testified as follows:

Direct Examination by Mr. Levy:-

Q Where do you reside? A. 364 Grand Street .

Q What is your business? A. Segar manufacturer.

Q Do you know the defendant? A. Yes sir .

**POOR QUALITY  
ORIGINAL**

0475

33

Q You know him ever since he was a baby? A. Yes sir .

Q A well behaved boy is he not ? A. Yes sir .

Q Do you know anything about his moral character ?

A Nothing--I dont know anything about it except only as it is good; nothing against him whatsoever .

Q He is morally a good boy is he not ? A. Yes sir? I know him from the time he is born up till now .

Mr. Levy sums up for the defense .

Mr. Davis sums up for the prosecution.

The Court then charged the Jury as follows:-

Gentlemen of the Jury:-This defendant is charged with violating Section 316 of the Penal Code of this State. That Section reads as follows:-

"A person who willfully and lewdly exposes his person or the private parts thereof, in any public place or in any place where others are present, or procures another so to expose himself is guilty of a misdemeanor."

By the indictment this defendant is charged with having, on the 13th day of May last in Central Park in this City, willfully exposed his person in the presence of an unknown person, and the question is a very simple one for you to determine upon the evidence--whether that charge has been substantiated or not. The variance between the statements of the officer, who is the only witness on

**POOR QUALITY  
ORIGINAL**

0476

24

behalf of the people, and this defendant are so great that it would be more than charitable to say that there may be an honest mistake. The officer swears that on this day in question he saw this defendant acting in the manner in which he has described to you, not in detail--but in a manner which he considered an improper manner. He says, that subsequently, while he was standing by his horse, he saw this defendant unbutton his pants and take out his person and expose it, at least in the presence of some eight or nine young girls. Now, gentlemen, if that is true, and if you are satisfied that he did in the public park of this city, wilfully and lewdly expose his person to these young girls or in their presence he has violated the law and should be punished for it. It is not a trivial offence. The People of this great State have a deep interest in preserving the morals of the community and anything which offends public decency or offends decency is an offence against the people of this State; and where a person deliberately and wilfully and lewdly exposes his person in a public place in this great city either to male or female he violates the law of public decency and should be punished for it.

**POOR QUALITY  
ORIGINAL**

0477

25

Now, the officers statement, if it is to be relied upon, goes to show that in our park he exposed his person . There has been a great deal said about police officers and park police officers . The police officers of this city are the custodians, largely, of the public peace. They are appointed by the people to preserve the peace of this city; they are paid for that purpose, and I know of no rule of law which discredits them when they are brought upon the witness stand, simply from the fact that they are custodians of the peace. If that is the rule which is going to be followed--simply because some police men in this city have been found wanting in the performance of their duty, you might just as well abandon the police force and leave the city to be dealt with as the criminal classes see fit . You will observe , gentlemen, if we try many cases this term, that in almost every case a police officer will be called as a witness. It is necessarily so; they are on the watch for the criminal classes. In a great many cases their testimony becomes very material. So far as this particular police officer is concerned, no witness has been called upon the stand to impeach his character for credit, no witness has been called here and no evidence offered to show that he is not as credible as any gentleman in the court room

**POOR QUALITY  
ORIGINAL**

0478

26

Unless the mere fact that he is a policeman tends to discredit him there is nothing . When the rule is adopted by juries that as soon as a man gets on the stand and being asked his business says he is a police officer, that that fact will discredit him, you might then close up the criminal courts altogether and not undertake to punish crime any more . So far as the character of this witness for the people is concerned no witness has been brought here to impeach him, no evidence whatever, unless the contradictions of the defendant may be considered impeaching testimony .

Now, as against this testimony of the police officer, you have the testimony of the defendant who denies it. He denied it when he put in his plea of "Not Guilty". He says it is not true. When I asked him one or two questions, for the purpose of ascertaining why it was that he wanted these girls arrested at the same time that he was, he made two or three different statements. Now, there is no rule which compelled this officer to arrest these young girls and take them into the station house. There were eight or nine of them, and it might be a grave question whether it would have been a proper thing to have taken them to the station house . I dont

**POOR QUALITY  
ORIGINAL**

0479

27

Know of any rule which permitted him to do it. The officer says he did not do it on account of their age. He says that he saw the act and he took this defendant in on his own observation .

Now this defendant denies in toto the testimony of the officer. He wanted these little girls taken as witnesses as I understood him, because he was sitting on the grass. If that was the case they could not have told anything more than he himself has admitted here today. Therefore it was unnecessary to take them. Then a little further on he says that the officer arrested him for disorderly conduct. The officer did not inform him what the disorderly conduct was, leaving me to infer that he had violated some of the police rules. Be that as it may the officer did not tell him what he was arrested for further than that he arrested him for sitting on the grass and for disorderly conduct . Now, if that is true, what purpose had he in wanting these little girls taken. Was it because he was conscious that he had been doing wrong there and wanted them on that question, or was it to prove something which he himself admits he did . Now the solution of this question will turn, in my judgment, altogether upon which of the two witnesses you are going to believe, the officer or this defendant . Which

**POOR QUALITY  
ORIGINAL**

0480

28

one has told the truth in this case? If you can solve that question satisfactorily to your own judgments and consciences you will have no difficulty, it seems to me, in coming to a correct, just and proper conclusion in this case .

So far as the evidence of the character of the defendant is concerned that you will take into consideration, and give to it such weight as you think it is entitled to. Two or three witnesses have been called by the defendant who have testified as to the character of the defendant. The principal character which is in issue here, is not one of honesty; it is a question as to whether the party is licentious, whether he is immoral in the sense of being indecent. As to that trait of character only one of the witnesses called undertook to speak. However you are to take the evidence, such as it is, into consideration and give it such weight as you think it is entitled to. But you will bear in mind that there is no conclusive presumption of law, that a man, whose character is good, is not guilty of the crime charged against him . The question of character is a circumstance only, which is to be weighed with the other circumstances in the case, and it will have such weight with you as you think it is entitled to when you consider all the other

**POOR QUALITY  
ORIGINAL**

0481

29

evidence in the case .

Now, gentlemen, to recapitulate, if you come to the conclusion upon all the evidence, that this defendant did wilfully and lewdly, in the Central Park of this city, expose his person in the presence of these young girls your duty will be to find him guilty of the offence charged in the indictment . If you come to the conclusion, from the evidence in the case, that this officer is mistaken and that the defendant did not expose his person at all, why then, of course it goes without saying, that you will acquit him .

I ought to say as far as this bush is concerned, and about which there has been considerable comment, that it does not appear that the bush had any foliage upon it or whether it was a dead bush. Therefore, so far as the question of whether the bush would have been an impediment to the officer seeing this act, is concerned, there is not enough light thrown upon it to enable you to determine. It might have been a dead bush, or there might not have been any leaves upon it--but, however, the officer declares that it was not an impediment ~~which~~ prevented his seeing this exposure of the person .

If you have a reasonable doubt as to the guilt

**POOR QUALITY  
ORIGINAL**

0482

30

or innocence taking all the evidence into consideration, give the defendant the benefit of that doubt and acquit him. A reasonable doubt may be such a doubt as twelve intelligent sensible men come to from the evidence itself. It is not a speculative doubt; it is such a doubt as you twelve gentlemen will come to, if there is such a one, after sifting the evidence, looking at it in all its phases, say to yourselves "From the evidence itself I have a doubt as to whether this man is guilty". If you have such a doubt then acquit him. The case is with you.

Mr. Levy:- I ask your Honor to charge the jury that indecent exposure seen only by one person and capable of being seen by only one person, is not indecent exposure.

The Court:- That is an abstract proposition of law which does not exactly fit the facts of this case. I am not required to charge propositions of law.

The Jury failed to agree upon a verdict and were discharged.

**POOR QUALITY ORIGINAL**

0483

*N.Y. General Sessions*

*People*

*v.  
Frank J. Rubens*

STENOGRAPHERS' TRANSCRIPT.

188

*Frank J. Rubens*  
*1888*

**POOR QUALITY ORIGINAL**

0484

Sec. 108-200.

A District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Frank J. Rubens 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 J. Rubens.

Question. How old are you?

Answer 20 years.

Question. Where were you born?

Answer. New York City

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

Answer. 216 East 108<sup>th</sup> Street New York About 6 weeks

Question. What is your business or profession?

Answer I work in the Staten Island Amusement Co

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

Answer. I am not guilty of the charge and I demand a trial by Jury J. J. Rubens

Taken before me this

13

day of

Sept 13 1887

Police Justice.

POOR QUALITY ORIGINAL

0485

BAILED,

No. 1, by Carol Rubenstein

Residence 176 E 109th Street.

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

Residence \_\_\_\_\_ Street.

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

Residence \_\_\_\_\_ Street.

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

Residence \_\_\_\_\_ Street.

Police Court-- 4 District. 926

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Chudobsky  
Patrick Pineda  
Frank J. Pablos

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence Indecent exposure of person

Dated May 13 1887

Magistrate

John Chudobsky Officer.  
Frank Pablos Precinct.

Witnesses

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

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

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

No. 530 Street.

Bailed  
to answer  
530  
Street  
Chudobsky

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 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 May 13 1887

P. G. Keuff Police Justice.

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

Dated May 15 1887

P. G. Keuff 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.

POOR QUALITY ORIGINAL

0486

BAILED,  
 No. 1, by Carol Rubenstein  
 Residence 176 E 109 St  
 Street.  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Street.  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Street.  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Street.

Police Court-- 4 District. 976

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Charles Kelly  
Patrick Pineda  
Frank J. Parsons

2 \_\_\_\_\_  
8 \_\_\_\_\_  
4 \_\_\_\_\_

Offence Indecent exposure  
of person

Dated May 13 1887

Magistry  
Magistrate.

Officer.

President.

Witnesses

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

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

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

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

5700 to answer 888  
Bailed  
Done

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 May 13 1887

Police Justice.

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

Dated May 15 1887

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.

**POOR QUALITY ORIGINAL**

0487

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Franka J. Andrews*

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

*Franka J. Andrews*

of the CRIME of *Willfully and knowingly exposing*  
*the private parts of this person in*  
*a public place,*

committed as follows:

The said *Franka J. Andrews,*

late of the *1st* Ward of the City of New York, in the County of New York afore-  
said, on the *thirteenth* day of *May*, in the year of our Lord  
one thousand eight hundred and eighty *seven*, at the Ward, City and County aforesaid,

*and in a certain public place there,*  
*known as the Central Park, and*  
*did willfully and knowingly expose the*  
*private parts of this person, certain*  
*persons being then and there present, or*  
*the said Franka J. Andrews then and*  
*there well known; 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;*

*Richard W. Beattie*

District Attorney.

0488

BOX:

263

FOLDER:

2531

DESCRIPTION:

Rubens, Louis

DATE:

05/13/87



2531

POOR QUALITY ORIGINAL

0489

276  
Judge Standard.

Counsel,  
Filed 13 day of May 1888  
Pleads N. G. Gully

Violation of Excise Law.  
(Sunday).  
[III Rev. Stat., 7th Edition, page 1983 Sec. 21, and page 1982, Sec. 5].

THE PEOPLE

vs.

RB

Louis Rubens

RANDOLPH B. MARTINE,

District Attorney.

A TRUE BILL.

Glykstrom  
Foreman.  
Feb 23/88  
Substantive Damages

Witnesses:  
Off G. G. Gully

July 23 - 1888  
This case is determined  
by the decision of the  
Honor. Term of this Dept.  
in the Burling Party &  
recommenced. The damages  
of the trader  
J. H. Gully  
District Attorney.

POOR QUALITY ORIGINAL

0490

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK. } ss

*Louis Rubini* 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 *Louis Rubini*

Question How old are you?

Answer *48 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *119 East 109<sup>th</sup> Street & about 1 month*

Question What is your business or profession?

Answer *Writer*

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 serving the guests of the house in the cafe and restaurant. There was no Bar open and demand a trial by Jury*

*Louis Rubini*

I taken before me this

day of

*April*

188

*James J. Murphy* Police Justice.

POOR QUALITY ORIGINAL

0491

BAILED.

No. 1, by

Residence

Edmund Storrer  
5 Hammond Street

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

EXCISE

Police Court--

District

THE PEOPLE

ON THE COMPLAINT OF

John De Gennaro  
James Patrick

1  
2  
3  
4

Office

of the  
Police Court

Dated

Apr 24 188

Magistrate

Officer

Preceptor

Witnesses

\$100 to answer

No.

Street

No.

Street

\$100 to answer

PS

Paulson

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

Defendant

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

Dated

Apr 24 188

Samuel C. Reilly Police Justice.

I have admitted the above-named

Defendant

to bail to answer by the undertaking hereto annexed.

Dated

April 24 188

Samuel C. Reilly 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.

**POOR QUALITY ORIGINAL**

0492

Sec. 192.

2 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Louis O Reedy a Police Justice of the City of New York, charging Louis Rubin Defendant with the offence of Violation of the Excise Law

and he having been brought before said Justice for an examination of said charge, and it having been made to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hearing thereof having been adjourned,

We, Louis Rubin Defendant of No. 114  
East 109 Street; by occupation a Waiter  
and Edward Hernon of No. 5 Greenwich Avenue  
Street, by occupation a Liquor dealer Surety, hereby jointly and severally undertake that the above named Louis Rubin Defendant shall personally appear before the said Justice. at the 2 District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of one Hundred Dollars.

Taken and acknowledged before me, this 25<sup>th</sup> day of April 1887

Samuel C. Smith POLICE JUSTICE.

Louis Rubens  
Edward Hernon

**POOR QUALITY ORIGINAL**

0493

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Edward Hermon Howe*

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth two Hundred Dollars, exclusive of property exempt from execution, and ~~over~~ and above the amount of all his debts and liabilities, and that his property consists of the Guyer Stone

Stork & fixtures No 5 Greenwich Avenue north over the  
thousand dollars

*Edward Hermon*

*Sworn to before me, this*  
*day of April*  
*188*  
*James St. Hill, Public Justice.*

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Undertaking to appear during the Examination.*

vs.

188

day of

Taken the

Justice.

**POOR QUALITY ORIGINAL**

0494

Excise Violation—Selling on Sunday.

POLICE COURT—2<sup>d</sup> DISTRICT.

City and County } ss.  
of New York, }

of No. two 19<sup>th</sup> Precinct Police Street,  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 24<sup>th</sup> day  
of April 1887, in the City of New York, in the County of New York, at  
premises No. 225 7<sup>th</sup> Ave. (Hotel Brunswick)  
Louis Rubin (now here)

did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his  
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,  
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said Louis Rubin  
may be arrested and dealt with according to law.

Sworn to before me, this 25<sup>th</sup> day  
of April 1887

Sanjiv Chhabra Police Justice.

John H. Genore

POOR QUALITY  
ORIGINAL

0495

Grand Jury Room *G.*

PEOPLE *OW*

vs.

*Le Rubens*

*off Genove*

**POOR QUALITY ORIGINAL**

0496

Court of General Sessions, PART *ONE*

THE PEOPLE

vs.

*Lewis Rubens*

For

INDICTMENT

To

*M Edward Newton*

No. *5 Greenwich Ave*

*Street*

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *trial* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on \_\_\_\_\_ the *18* day of *May* instant, at eleven o'clock in the forenoon.

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

**RANDOLPH B. MARTINE,**

*District Attorney.*

**POOR QUALITY ORIGINAL**

0497

Mr. Tolson  
Put off till Monday  
of [unclear]

**POOR QUALITY  
ORIGINAL**

0498

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Louis Rubens*

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

*Louis Rubens*

of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows :

The said

*Louis Rubens,*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the ~~24th~~ day of ~~April~~, in the year of our Lord one thousand eight hundred and eighty-~~seven~~, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit : One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to

certain \_\_\_\_\_ persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

SECOND COUNT:

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

*Louis Rubens*

of the CRIME OF GIVING AWAY INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows :

The said

*Louis Rubens,*

late of the Ward, City and County aforesaid, afterwards, to wit : On the day and in the year aforesaid, at the Ward, City and County aforesaid, the same being the first day of the week

**POOR QUALITY  
ORIGINAL**

0499

commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did give away as a beverage to

certain \_\_\_\_\_ persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

THIRD COUNT:

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

*Samuel Andrews*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRIT-  
UOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Samuel Andrews,*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of certain premises at number

*Two - Hundred - and - Twenty -  
Five Fifth Avenue,*

in the City and County aforesaid, which said place was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

RANDOLPH B. MARTINE,  
District Attorney.

0500

BOX:

263

FOLDER:

2531

DESCRIPTION:

Rump, Anton

DATE:

05/24/87



2531

POOR QUALITY ORIGINAL

0501

503 B.M. Dec 31/89

Witnesses:

*C. J. Martin*

Counsel,

Filed, *24* day of *May* 188 *7*  
Pleads, *Not guilty*

*Chas. J. Martin*

THE PEOPLE  
vs.  
*Anton Rump*  
Mr. Dec 31, 1887,  
Bail forfeited & out

VIOLATION OF EXCISE LAW.  
(Keeping Open on Sunday.)  
(III Rev. Stat. (7th Edition), page 1889, Sec. 51.)

RANDOLPH F. MARTINE,  
District Attorney.

A True Bill.

*J. J. Martin*  
*Jan 9/90* Foreman.  
*Pleather Guild*  
*June 1880*  
*Paul*

**POOR QUALITY ORIGINAL**

0502

Excise Violation-Keeping Open on Sunday.

POLICE COURT- 4 DISTRICT,

City and County } ss.  
of New York,

of No. the 95<sup>th</sup> Precinct Police Hugh Martin Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 1 day  
of May 1887 in the City of New York, in the County of New York,

Anton Rumpf (now here)

being then and there in lawful charge of the premises No. 1275 1/2 7<sup>th</sup> Avenue

Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be

drunk upon the premises **DID NOT KEEP SAID PLACE CLOSED** contrary to and in violation of

the statute in such case made and provided.

WHEREFORE, deponent prays that said Anton Rumpf

may be ~~arrested~~ and dealt with according to law.

Sworn to before me, this 2 day } Hugh Martin

of May 1887 }

[Signature] Police Justice.

**POOR QUALITY ORIGINAL**

0503

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Anton Rumpf 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. Anton Rumpf

Question. How old are you?

Answer. 29 years.

Question. Where were you born?

Answer. Germany

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

Answer. 1275 - 1<sup>st</sup> Avenue and 3 months -

Question. What is your business or profession?

Answer. Salvage Keeper

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

Answer. I am not guilty. If held I demand a trial at the Court of General Sessions.  
Anton Rumpf

Taken before me this

2

day of Sept 1888  
[Signature]  
Police Justice.

POOR QUALITY ORIGINAL

0504

BAILED

No. 1, by Charles Stumpf  
Residence 226 E 44th St.

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

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

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

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Hugh Martin  
vs.  
Arthur Pump

Dated May 2nd 1887

Magistrate. W. J. Murphy  
Other. Martin  
Precinct. 25

Witnesses \_\_\_\_\_

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

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

N \_\_\_\_\_ Street \_\_\_\_\_

\$ 100 TO ANSWER S.S.

Paul Barb

Police Court-- 4 District 6th

Offence Violation of  
Excise Law  
EXCISE:

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

Dated May 2nd 1887 W. J. Murphy Police Justice.

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

Dated May 2d 1887 W. J. Murphy 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.

**POOR QUALITY  
ORIGINAL**

0505

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Anton Rummy*

The Grand Jury of the City and County of New York, by this indictment  
accuse *Anton Rummy* —

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND  
SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Anton Rummy,*

late of the City of New York, in the County of New York aforesaid, on the *first*  
day of *May,* in the year of our Lord one thousand eight hundred and  
eighty-~~seven~~, the same being the first day of the week, commonly called and known as  
Sunday, being then and there in charge of, and having the control of a certain place there  
situate which was then duly licensed as a place for the sale of strong and spirituous liquors,  
wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so  
licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said  
place so licensed as aforesaid, unlawfully did open, and cause and procure, and suffer and  
permit, to be open, and to remain open; against the form of the Statute in such case made and  
provided, and against the peace of the People of the State of New York, and their dignity.

**RANDOLPH B. MARTINE, District Attorney.**

0506

BOX:

263

FOLDER:

2531

DESCRIPTION:

Russell, Daniel

DATE:

05/24/87



2531

POOR QUALITY ORIGINAL

0507

485

Witnesses:

D. S. Reeves

Off. of J. J. Garry

the Complainant's Deposition  
and friends and prosecutors  
trijury was inflicted. I  
know that this testimony  
be dismissed.

Spec 27/19

Gunning P. Walker  
R.D.A.

Counsel,

Filed 4 day of May

1887

Pleas

Nothing

THE PEOPLE

vs.

Daniel Russell

Spec 27/19

Indictment of a murder

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

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

G. H. Mann  
Foreman.

**POOR QUALITY ORIGINAL**

0508

Police Court— 4 District.

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

*John Reers*

of No. 307 East 23<sup>d</sup>  
occupation Liquor dealer

Street, aged 24 years,  
being duly sworn

deposes and says, that on the 21<sup>st</sup> day of May 1887 at the City of New York, in the County of New York,

He was violently and feloniously ASSAULTED and BEATEN by Daniel Russell (nowhere) who willfully and feloniously cut and stabbed, deponent <sup>in the face</sup> with a sharp instrument which he held in his hand while deponent was on 1<sup>st</sup> Avenue and 4<sup>th</sup> Street in said City, about midnight of the 20<sup>th</sup> instant.

Says that said assault <sup>deponent</sup> committed was done

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

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

Sworn to before me, this 21<sup>st</sup> day of May 1887

*John J. Reeves*

*Colonel Smith*  
Police Justice.

**POOR QUALITY ORIGINAL**

0509

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Daniel Russell* 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. *Daniel Russell*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *238 West 18th Street, 2 years.*

Question. What is your business or profession?

Answer. *Collar Maker*

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

Answer. *I am not guilty.*

*Daniel Russell*

Taken before me this *21st* day of *May* 188*8*  
*John W. Smith*  
Police Justice.

POOR QUALITY ORIGINAL

0510

BAILED.

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

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

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

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

216  
Police Court-- 4  
District. 707

THE PEOPLE, &c.,  
IN THE COMPLAINT OF  
John Stevens  
307 E 73  
Daniel Russell  
Offence Assault  
Felony

3011  
Dated May 12 188  
Const. John Smith  
Magistrate.  
District  
McElmory  
Officer.  
Preninet.

Witnesses \_\_\_\_\_  
No. \_\_\_\_\_ Street.  
No. \_\_\_\_\_ Street.  
No. \_\_\_\_\_ Street.  
No. \_\_\_\_\_ Street.  
to answer  
Corn

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

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

Dated May 7 188 \_\_\_\_\_ 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.

POOR QUALITY  
ORIGINAL

0511

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK

Court of General Sessions  
Newport County  
The People

<sup>vs</sup>  
John J. Reeves  
Indictment for assault - 1<sup>st</sup> degree

The People

<sup>vs</sup>  
Daniel Ruppee  
Indictment for assault - 1<sup>st</sup> degree

City and County of New York S. S.  
John J. Reeves, and Daniel  
Ruppee the above named  
defendants, being each severally  
sworn, say; that we were  
arrested for assaulting one  
another, and at the Police  
Court the following morn-  
ing laid charges each  
against the other. That  
each of us were held to bail  
and subsequently on the  
complaint of each other  
the grand jury indicted  
deponents for an assault  
in the first degree -

POOR QUALITY  
ORIGINAL

0512

That - we have been acquainted  
with each other for some  
time, and the affair arose  
out of a quarrel between us.  
That - no ~~actual~~ <sup>previous</sup> personal  
injury was done to either  
of us, and we are to day  
on friendly terms, and  
desire to remain friends.  
We are anxious not to pro-  
secute one another, but - mu-  
tually forgive each other, and  
respectfully ask the Court - to  
dismiss the aforesaid in-  
dictments.

Done to record, John F. Reeves.  
before me this 7<sup>th</sup>

June 1887  
rept mos

David Russell

Commissioner of the  
Court

POOR QUALITY  
ORIGINAL

0513

Grant of General

Lessee

of the

of the

of the

of the

**POOR QUALITY ORIGINAL**

0514

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF STATE OF NEW YORK,

against

*David Russell*

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

*David Russell*

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

The said *David Russell,*

late of the City of New York, in the County of New York aforesaid, on the *twenty first* day of *May*, in the year of our Lord one thousand eight hundred and eighty *seven*, with force and arms, at the City and County aforesaid, in and upon the body of one *John J. Reeves,* in the peace of the said People then and there being, feloniously did make an assault, and *with* the said *John J. Reeves,* with a certain *knife* which the said *David Russell,* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon then and there wilfully and feloniously did cut, stab and wound,

with intent *with* the said *John J. Reeves,* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT;

And the Grand Jury aforesaid, by this indictment, further accuse the said *David Russell* of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows :

The said *David Russell,*

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

with a certain *knife* which the said *David Russell,*

in *his* right hand then and there had and held, the same being an instrument and weapon likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully cut, stab and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*David W. Bonnet*

District Attorney.

05 15

BOX:

263

FOLDER:

2531

DESCRIPTION:

Ryan, Patrick

DATE:

05/09/87



2531

**POOR QUALITY ORIGINAL**

0516

117  
Clerk

Counsel, \_\_\_\_\_  
Filed, 9 day of May 1887  
Pleads, Guilty

THE PEOPLE  
15th pages.  
935-1  
Patrick Ryan  
Grand Larceny, 2nd degree  
(From the Person)  
Sections 528, 531 & 550 Penal Code]

RANDOLPH B. MARTINE,  
District Attorney.  
You are guilty.  
A True Bill.  
Foreman.

Witnesses:  
Annie O'Keefe  
Officer Conroy

POOR QUALITY ORIGINAL

0517

Police Court - 4 District.

Affidavit - Larceny.

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

*Annie Mauge*

of No. 131 East 3d

Street, aged 27 years,

occupation Furo

being duly sworn

deposes and says, that on the 4th day of May 1887 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 Pocket book of the value of twenty five cents, and the contents viz one Dollar and twelve cents in all of the value of one Dollar and thirty seven cents.

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 from her person by Patrick Ryan (now here) from the fact that deponent had said property in her possession at 57 & 59 Great Jones Street and missed the same. that thereafter she was informed by Martin Lousberg, that he found said property in possession of the Defendant and deponent identified it as being the above described property.

Wherefore deponent prays that said Defendant may be held to answer said complaint. *Annie Mauge*

Sworn to before me, this 4th day of May 1887.  
*[Signature]*  
Police Justice.

**POOR QUALITY ORIGINAL**

0518

CITY AND COUNTY }  
OF NEW YORK, } ss.

Martin Landsberg

aged 38 years, occupation Private Detective of No. 57

Great Jones 26 East Houston Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Annice Mauze

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 4<sup>th</sup> day of May 1887 } Martin Landsberg

[Signature]  
Police Justice.



**POOR QUALITY ORIGINAL**

0520

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

1944  
 Police Court-- 4 District. *648*  
 THE PEOPLE, &c.,  
 ON THE COMPLAINT OF  
*Annie Murray*  
*131 East 34th St*  
*Patrick Ryan*  
 Offence *Larceny from Person*  
 4 \_\_\_\_\_  
 8 \_\_\_\_\_  
 Dated *May 4* 188*7*  
*J. G. Duffy* Magistrate.  
 Witnesses *Martin Landberg*  
*57 West 79th Street*  
*Thomas J. Semmes*  
*18th St. New York*  
 No. \_\_\_\_\_  
 \$ *500* TO ANSWER *9-8*  
 Street.  
*Em*

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 *May 4* 188*7* *J. G. Duffy* Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

**POOR QUALITY ORIGINAL**

0521

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

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

*Patinda Ruger*

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

*- Patinda Ruger -*

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

The said *Patinda Ruger,*

late of the City of New York, in the County of New York aforesaid, on the  
*fourth* day of *May,* in the year of our Lord  
one thousand eight hundred and eighty-~~seven~~, at the City and County aforesaid, in the

*day* time of the same day, with force and arms, *one pocket*  
*book* of the value of *twenty*  
*five cents,* and the sum of *one*  
*dollar and twelve cents* in  
money, lawful money of the  
United States, (a more particular  
description thereof is to be found  
in the indictment) of the  
value of *one dollar and twelve cents,*

of the goods, chattels, and personal property of one *Annice Mawzy,*  
on the person of the said *Annice Mawzy,* then and there being  
found, from the person of the said *Annice Mawzy,* 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.

**POOR QUALITY  
ORIGINAL**

0522

SECOND COUNT—

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

*- Patricia Ryan -*

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

The said *Patricia Ryan,*

late of the City and County aforesaid, afterwards to wit: on the day and in the year

aforesaid, at the City and County aforesaid, with force and arms, *the goods,*

*chattels and personal property*

*in the first count of this*

*indictment described,*

of the goods, chattels and personal property of one *Amie Mary,*

by ~~or~~ *certains* persons to the Grand Jury aforesaid unknown, then lately before

feloniously stolen, taken and carried away from the said *Amie Mary,*

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

*- Patricia Ryan -*

then and there well knowing the said goods, chattels and personal property to have been

feloniously stolen, taken and carried away, against the form of the statute in such case

made and provided, and against the peace of the People of the State of New York, and

their dignity.

**RANDOLPH B. MARTINE,**

**District Attorney.**

0523

BOX:

263

FOLDER:

2531

DESCRIPTION:

Ryan, Thomas D.

DATE:

05/17/87



2531

POOR QUALITY ORIGINAL

0524

346

Counsel,  
Filed, 17 day of May 1887  
Pleads, November 19,

VIOLATION OF EXCISE LAW.  
(Keeping Open at Unlawful Hours,  
[III Rev. Stat. (7th Edition), page 1069, Sec. 5].)

THE PEOPLE

vs.

Thomas D. Ryan  
115 Washington

RANDOLPH B. MARTINE,

District Attorney.

Part III June 9 '87  
A True Bill.  
Complaint sent to Sheriff

Wm. H. ... Foreman.

Witnesses:

J. J. ...

.....  
.....  
.....  
.....

POOR QUALITY  
ORIGINAL

0525

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Thomas D. Ryan*

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

*Thomas D. Ryan*

of the crime of KEEPING OPEN, BETWEEN THE HOURS OF ONE AND FIVE O'CLOCK IN THE MORNING, a place licensed for the sale of strong and spirituous liquors, wines, ale and beer, committed as follows:

The said *Thomas D. Ryan*, late of the City of New York in the County of New York aforesaid, on the *Twenty* day of *April*, in the year of our Lord one thousand eight hundred and eighty *seven*, being then and there in charge of, and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid, unlawfully did not close and keep closed between the hours of one and five o'clock in the morning of the said day, and between the said hours of the said day, to wit: at the hour of *Three* o'clock in the morning of the said day, the said place so licensed as aforesaid, unlawfully did then and there open and cause and procure, and suffer and permit, at the time aforesaid to be open and to remain open; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE, District Attorney.

0526

BOX:

263

FOLDER:

2531

DESCRIPTION:

Ryan, William

DATE:

05/16/87



2531

POOR QUALITY ORIGINAL

0527

296 A1D

Witnesses:

*J. J. [unclear]*  
*W. J. [unclear]*  
*W. H. Ch. [unclear]*  
*Rev. [unclear]*  
*R. L. [unclear]*  
*[Signature]*

Counsel, *W. B. [unclear]*  
Filed, *May 1887*  
Pleads, *Chattel [unclear]*

THE PEOPLE  
vs.  
*William Ryan*  
[Signature]  
[Signature]

Grand Larceny, *first degree*  
(FROM THE PERSON)  
[Sections 628, 630 Penal Code]

RANDOLPH B. MARTINE,  
District Attorney.

A True Bill.

*G. S. [unclear]*  
Foreman.  
*May 19 1887*  
*[Signature]*  
*[Signature]*

POOR QUALITY ORIGINAL

0528

Police Court— 3 District.

Affidavit—Larceny.

City and County of New York, ss.

Fred. Vohlhard.

of No. 22 Union Avenue Brooklyn, E.D. Street, aged 23 years, occupation Shoemaker. being duly sworn

deposes and says, that on the 14 day of April 1887 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession

person of deponent, in the night time, the following property viz:

One Silver Watch with plated Chain attached of the Value of Six 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 William Ryan (read here)

from the fact that at the hour of about 12 o'clock in the night of said 14th day of April 1887 deponent left a car on foot of Grand Street and was walking towards the Ferry when deponent had said watch in the watch pocket of the vest then worn upon deponent's person.

That said defendant walked up to deponent, and walked along side of deponent up to the Ferry house, saying to deponent, this is a pleasant night,

That deponent when at the Ferry House opened his coat to get two cents from his pocket to pay the fare, when said

Subscribed before me, this

1887

Police Justice.

POOR QUALITY  
ORIGINAL

0529

Defendant snatched said Watch and  
Chain from deponents pocket, and  
run away. That deponent pursued  
said defendant, and caught him,  
and he again escaped from deponent.

Sworn to before me this }  
5th day of May 1887 } Alfred Colburn

John W. Foster  
John W. Foster

POOR QUALITY ORIGINAL

0530

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer. *William Ryan*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *no special address*

Question. What is your business or profession?

Answer. *Plumber.*

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 nothing to say*

*William Ryan*

Taken before me this

day of *May* 188*7*

*J. M. ...*

Police Justice.

**POOR QUALITY ORIGINAL**

0531

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

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

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

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

Police Court--  
 District 669

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF  
 1. *John Halloran*  
 2. *William Steyn*  
 3. *William Steyn*  
 4. *William Steyn*

Offense *Larceny*  
*from person*  
*at night time*

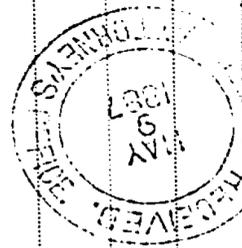
Dated *May 5* 188*7*

*John M. Sullivan*  
 Magistrate.

Witnesses  
*John Quinn*  
*Robert Palmer*  
 Street, .....

No. *1002*  
 Street, .....

No. *1002*  
 Street, .....



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

*Defendant*

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

Dated *May 5* 188*7* *John M. Sullivan* 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.

POOR QUALITY ORIGINAL

0532

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*William Ragan*

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

*William Ragan*

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

as follows:

The said *William Ragan,*

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

*seventeenth* day of *April*, - in the year of our Lord

one thousand eight hundred and eighty-*seven*, at the City and County aforesaid, in the

*night* time of the same day, with force and arms,

*one watch of the value of six*

*dollars, and one chain of the*

*value of one dollar,*

of the goods, chattels, and personal property of one *Fred Volhard,*

on the person of the said *Fred Volhard,* then and there being

found, from the person of the said *Fred Volhard,* 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. Smith*

District Attorney.