

0662

BOX:

184

FOLDER:

1863

DESCRIPTION:

Gallagher, Joseph

DATE:

08/21/85



1863

0563

237 B

Counsel, _____
Filed 11 day of Aug 1885
Pleads _____

Witnesses:

THE PEOPLE
vs.
Joseph Gallagher
16
116
Grand Larceny 2nd degree
[Sections 628, 58 Penal Code].

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

John C. Scott
Foreman.
Henry Smith
Rem. one year.

0664

Police Court—First District.

Affidavit—Larceny.

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

Bartholomew Hornor

of No. 214 West Street, aged 21 years,
occupation Plumber being duly sworn

deposes and says, that on the 18 day of August 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:

Good and lawful money of the United
States consisting of Three Ten Dollar bills
together of the value of Thirty 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 Joseph Gallagher (now here)

from the fact that deponent left his vest
on a table in a Laundry in premises 356 Broome
street where deponent was doing some plumbing and
gas fitting and the said money was in the right
hand pocket of the vest when deponent laid
said vest on the table in said laundry and
the said defendant sat down on said table
alongside of said vest and about five minutes
after the said defendant left said table dep-
onent missed said money from deponent's vest
pocket and deponent captured the arrest of
said defendant and deponent is informed
by Officer Edward Wagnard of the 14th Precinct
Police that when he said officer searched the

of
Subscribed before me, this

188

Police Justice

0665

Said defendant in the Station House he found three Ten dollar bills secreted in one of defendants shoes

Wherefore deponent charges the said defendant with taking stealing and carrying away said money

sworn to before me this 19th day of August 1885

J. Merritt
 Const. Return
 Police Justice

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

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

Dated 1885 Police Justice

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

Dated 1885 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 1885 Police Justice

Police Court, District, _____

THE PEOPLE, &c.,
 on the complaint of

vs.

1885

Magistrate.

Officer.

Clerk.

1885, _____

Street,

Street,

Street,

to answer _____ Sessions.

Offence—LARCENY.

0666

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 32 years, occupation Edward Maynard
Police Officer of No.

17th Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Bartholomew Gleason

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

Sworn to before me, this 19
day of Aug 1885

G. Mumford
Police Justice.

Edward J. Maynard

0667

Sec. 198-200.

CITY AND COUNTY OF NEW YORK

District Police Court.

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

Question. What is your name?

Answer

Question. How old are you?

Answer

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer

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

Answer.

I am guilty

Joseph Gallagher

Taken before me this

day of

1888

Police Justice.

0668

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

Gallagher
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 Aug 19 1885 J. H. Murphy 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.

0669

Police Court *Dist 800* District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Bartholomew Brown
284 7th St
Joseph Gallagher

James J. [unclear]
officer

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *Aug 19* 188*5*

J. J. [unclear] Magistrate

Ed. Maynard Officer.

14 Precinct.

Witnesses *Call the Officer*

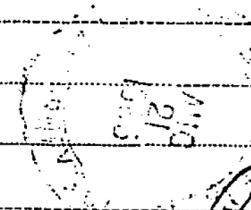
No. _____ Street.

No. _____ Street,

No. _____ Street,

\$ *500* to answer *G.S.*

Conu



0670

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph Fitzgerald

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

Joseph Fitzgerald

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

The said *Joseph Fitzgerald*,

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

~~*Three* Promissory Notes, for the payment of money, the same 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~~

~~*and three* Promissory Note s for the payment of money, the same being then and there due and unsatisfied, and of the kind known as *Bank Notes*, of the denomination of *ten* dollars, and of the value of *ten* dollars each~~

of the goods, chattels and personal property of one *Edward Adams*

O'Connell,

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 A. Martine
District Attorney

0671

BOX:

184

FOLDER:

1863

DESCRIPTION:

Geraty, James

DATE:

08/07/85



1863

0672

66 B

Grand

Counsel,

Filed

day of

1885

Pleads

7th July 1885

THE PEOPLE

vs.

*Gerdy F
James Gerdy*

Grand Larceny in the
(MONEY)
degree.
(Sec. 528 and 53, Penal Code.)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*John O. Scott
Foreman
Plenty, July
S. P. Three years.*

Witnesses:

0673

34 District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }
OF NEW YORK, } ss.

of No. 343 East 65 Street,

being duly sworn, deposes and says, that on the 30 day of July 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 and from his person on the day time the following property, viz :

Some several hundred currency
of the United States in bills
of the value of one hundred
and twenty five dollars \$25.00

the property of deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken,
stolen, and carried away by James Geraty (an alien)

and from the fact that he was
informed by Frederick Lehman
that at the door of 83 block S. W.
on said day he was present and
saw that while the deponent
was lying asleep in the back room
of store 161 East Broadway that the
said deponent fingered about the
right hand pants pocket of the deponent

Sawant before me this

day of

Police Justice

1885

0674

and him the defendant having
in one hand a bundle of bills
and in the other hand a knife
and that the said Frederick Lehman
seized hold of said bills and took
them away from said defendant

John Murphy

Sumner to be before me
this 31st of July 1885

Daniel O'Reilly Police Justice

District Police Court.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated _____ 188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0675

CITY AND COUNTY }
OF NEW YORK, } ss.

Frederick Lehman
aged *21* years, occupation *Bar tender* of No.

161 East Broadway Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *John Murphy*

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

Sworn to before me, this *31* day of *July* 188*9* } *Frederick Lehman*

Samuel O'Reilly
Police Justice.

0676

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

James Geraty 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 Geraty*

Question. How old are you?

Answer. *38 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *201 East Broadway one month*

Question. What is your business or profession?

Answer. *Oysterman*

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*

James Geraty

Taken before me this *31* day of *July* 188*8*
Samuel W. Hall District Justice.

0677

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 James Conroy

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 20 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 11 1885 James 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.

0678

Police Court, 3 District.

THE PEOPLE, &c.,
OF THE COMPLAINT OF

John Murphy
343rd E. 6th
James Hervey

Offence from Parole

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

2

3

4

Dated July 31 188 5

O'Reilly Magistrate.

Leary & Breen Officer.

7 Precinct.

Witnesses

No. Fredrick Lehman Street.

161 E. Broadway

No. Street,

No. Street.

\$ 2000 to answer G. Sessions.

Law



0679

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 McGrath

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

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

The said

James McGrath
late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *thirtieth* day of *July* in the year of our Lord one thousand eight hundred and eighty-*five*, at the Ward, City and County aforesaid, with force and arms, in the *day* time of the same day, *three* 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 twenty dollars, and of the value of twenty dollars *each*; *six* 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*; *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 five dollars, and of the value of five dollars *each*; *thirty* 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*; *sixty* 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*; *three* 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 twenty dollars *each*; *six* 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*; *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 five dollars *each*; *divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown of the value of*

(\$125.)

of the proper moneys, goods, chattels, and personal property of one *John Murphy* on the person of the said *John Murphy*, then and there being found, from the person of the said *John Murphy*, 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.

0680

BOX:

184

FOLDER:

1863

DESCRIPTION:

Gillen, Thomas

DATE:

08/13/85



1863

0581

1571 B. Berlingor A
Halkaway

Counsel,
Filed 13 day of Aug 1885
Pleads, Chozynsky (K)

THE PEOPLE
vs.
Thomas Gillen
Grand Larceny, 2nd Degree.
[Sections 528, 529, Penal Code.]

RANDOLPH B. MARTINE,
District Attorney.

June 8/93
Build & Fee
A True Bill.

John O. Scott
Foreman.

not put
P. J. ...

Witnesses:

This indictment was found in October 1885. The charge was for stealing a dog worth five dollars. The whereabouts of the complainant cannot be ascertained. I was within a few days of New York when I was kept who made the arrest. I tell me that the Complainant never cared about prosecuting - now at this late day she cannot be found. I wish that the defendant be discharged on his own recognizance. G. S. S. May 30/93 a da

0682

Police Court— 2 District.

Affidavit—Larceny.

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

of No. 782 Broadway Street, aged 35 years,
occupation Fur-manufacturer being duly sworn

deposes and says, that on the 26 day of July 1885 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession

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

One fine mangled dog of the value of Five 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 Thomas Allen (name here) from the fact; that about the hour of 7.50 A.M. on the above date as deponent was sitting on a bench in Washington Square with the above mentioned dog (for which deponent has a license and upon which there was a muzzle at the time) on her lap, when defendant came to deponent, informed her that he was a dog catcher, and forcibly taking the dog away from deponent, concealed it under his seat and while he held the dog so concealed took off the muzzle and walked away with the dog in his possession.

Clemence Lucdeca

Sworn to before me, this

of

1885

day

Police Justice

0683

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Thomas Gillen 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

Thomas Gillen

Question. How old are you?

Answer

Thirty Years

Question. Where were you born?

Answer.

New York City

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

Answer.

No 706 East 150th. Ten years

Question What is your business or profession?

Answer

None-Smith

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. I found the dog bone
Thomas Gillen.*

Taken before me this

day of

1885

Police Justice.

0684

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 _____

Thomas Miller
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 *July 4 7* 1885 *J. Willmott* 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.

0685

BAILED,
 No. 1, by John N. Roberts
 Residence 344 East 4th Street.

No. 2, by _____
 Residence _____ Street.

No. 3, by _____
 Residence _____ Street.

No. 4, by _____
 Residence _____ Street.

Police Court 2 ⁷⁸⁸ District.

THE PEOPLE, &c,
ON THE COMPLAINT OF

Annexa Huddell
732 Broadway
vs.

1 Thomas Miller

2 _____

3 _____

4 _____

Offense? Armed
from the prison

Dated July 27 188 5

John J. Sullivan Magistrate.

George Regis Officer.

George W. Thomas 15 Precinct.

Witness George W. Thomas

No. 278 Sullivan Street.

Alfred Webster

No. 334 E. 49th St ~~732 Broadway~~ Street.

No. \$1000 Street.

~~to answer~~ BS

Bailed

0586

DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.
When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS.

In the Name of the People of the State of New York.

To Alice Webber
of No. 334 East 49 Street

At 11/2 o'clock Bedford 11/2 o'clock A.M.

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 3rd day of MAY 1893, at the hour of 10 $\frac{1}{2}$ in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Thomas Gillen

Dated at the City of New York, the first Monday of MAY
in the year of our Lord 1893

DE LANCEY NICOLL, District Attorney.

0687

The Grand Jury calls witnesses in whatever order its Foreman pleases. The Foreman knows best for the public good. If you wait patiently on the day of attendance until your turn comes, it may save you waiting hereafter.

If it is very inconvenient for you to attend on the day designated, let the District Attorney's Officer or Clerk in the witness room know this as an early moment.

If you do not obey this Subpoena, or do not explain your absence, the Court will enforce your attendance by attachment, and fine you.

If you are ill when served, send timely notice of that fact to the District Attorney.

If other witnesses in this case are called, and another case taken up, you may know—unless otherwise advised—that the Grand Jury do not care to examine you; and you may then retire, mentioning your withdrawal to the officer or clerk.

If the Grand Jury adjourn, and you have not been called without explanation, inquire of the Chief Clerk in the District Attorney's office, if you are wanted again and when

Does not live
there & housekeeper
does not know of
any one of that
name ever living
there

0588

Court of General Sessions.

THE PEOPLE

vs.
Thos. Gillett

City and County of New York, ss: Jos. H. Shannon being duly

sworn, deposes and says: I reside at No. 217 Mulberry

Street, in the City of New York. I am a Subpcna server in the office of the District Attorney

of the City and County of New York. On the 2nd day of May 1893

I called at 334 East 49th St.

the alleged residence of Alice Webber

the complainant herein, to serve her with the annexed subpoena, and was informed by

the housekeeper who has lived there for the last five years, that he never knew any one of that name in the house.

Sworn to before me, this

3

day

of

May

1893

Jos. H. Shannon
Subpcna Server.

Handwritten signature and notes at the bottom of the page.

0689

Court of General Sessions.

THE PEOPLE, on the complaint of

vs.

Thos. Gillen

Offense

DE LANCEY NICOLL,
District Attorney.

Affidavit of

Jo St Shannon

Subpoena Server.

FAILURE TO FIND WITNESS.

May 3/93

0690

DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpcena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPCENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS.

In the Name of the People of the State of New York.

To Cleomeca Luddicka

of No. 732 Broadway Street

*Ask to see Mr. Bedford
At 11 o'clock A.M.*

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 3rd day of MAY 1893 at the hour of 10½ in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Thomas Gillev

Dated at the City of New York, the first Monday of
in the year of our Lord 1893

DE LANCEY NICOLL, District Attorney.

0691

The Grand Jury calls witnesses in whatever order its Foreman pleases. The Foreman knows best for the public good. If you wait patiently on the day of attendance until your turn comes, it may save you waiting hereafter.

If it is very inconvenient for you to attend on the day designated, let the District Attorney's Officer or Clerk in the witness room know this at an early moment.

If you do not obey this Subpoena, or do not explain your absence, the Court will enforce your attendance by attachment, and fine you.

If you are ill when served, send timely notice of that fact to the District Attorney.

If other witnesses in this case are called, and another case taken up, you may know—unless otherwise advised—that the Grand Jury do not care to examine you; and you may then retire, mentioning your withdrawal to the officer or clerk.

If the Grand Jury adjourn, and you have not been called without explanation, inquire of the Chief Clerk in the District Attorney's office, if you are wanted again and when

Has lived there
7 years ago.
Does not know
what has become
of them

0692

Court of General Sessions.

1214

THE PEOPLE

vs. Mrs. Gillen

City and County of New York, ss: Jos. H. Shannon being duly sworn, deposes and says: I reside at No. 217 Mulberry Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the City and County of New York. On the 2nd day of May 1893 I called at 732 Broadway the alleged residence of Clemencia Liddecka the complainant herein, to serve her with the annexed subpoena, and was informed by

~~the~~ tenants that she did belong there some years ago, but could give me no information as to her present whereabouts.

Sworn to before me, this

May

day of 1893

Jos. H. Shannon

Subpoena Server.

By William P. ...

0693

Court of General Sessions.

THE PEOPLE, on the complaint of

Mrs. G. Allen

vs.

Offense

DE LANCEY NICOLL,
District Attorney.

Affidavit of
Geo. W. Shannon

Subpoena Server.

FAILURE TO FIND WITNESS.

May 2/93

0694

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 Fiddler

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

— Thomas Fiddler —

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

The said Thomas Fiddler,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the twenty-ninth day of July in the year of our Lord one thousand eight hundred and eighty-nine, in the forenoon time of the said day, at the Ward, City and County aforesaid, with force and arms,

one dog of the value of five

dollars,

of the goods, chattels and personal property of one Ramona Suddocka, on the person of the said Ramona Suddocka, then and there being found, from the person of the said Ramona Suddocka, 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. Martin,
District Attorney

0695

BOX:

184

FOLDER:

1863

DESCRIPTION:

Gluck, Louis

DATE:

08/18/85



1863

0696

184 B

R
C. O. Penner

Counsel,

1885

Filed 10th day of Aug

Pleas (Intervent)

THE PEOPLE

vs.

R

Sonia Siquera

ASSAULT IN THE FIRST DEGREE, ETC.
(Sections 217 and 218, Penal Code).

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Wm. St. Louis

Foreman.

Wm. St. Louis
Ben Christ

Witnesses:

C. O. Penner &

Comp. N. 19th

Acquitted

7/11

0697

Sec. 198-200.

Fourth District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

~~James~~ Louis Gluck 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 Gluck

Question. How old are you?

Answer

39 years

Question. Where were you born?

Answer.

Germany

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

Answer.

536 West 45th Street & about 2 years

Question. What is your business or profession?

Answer

Piano - 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.

The complainant called my wife a "whore". I did not stab him I merely pushed him w/ stars

Louis Gluck

Taken before me this

day of

188

W. J. Kelly
Police Justice.

0698

Police Court—Fourth District.

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

of No. 44 ~~615~~ West 46th Street, aged 36 years,
occupation Carpet Factory being duly sworn

deposes and says, that on the 8th day of August 1885 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Louis Gluck (now here) who cut and stabbed deponent in the arm with some sharp instrument, which deponent has reason to believe and does believe was a file, there and they held in said ~~deponent's~~ Gluck's hand

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 14th day of August 1885 } James Cox

[Signature]
Police Justice.

0699

842
Police Court, Fourth District.

THE PEOPLE, &c.,

on the complaint of

James Cox
615 W. 146th

James Gluck

Offence—Felonious Assault & Battery

Dated Aug 12 1888

Bluffy Magistrate.

Netzer Officer.

22 Clerk.

Witnesses, Samuel Gamble
No. 536 west 45th Street.

Jimmie Hickey
No. 536 west 45th Street.

Mary Reilly
No. 536 west 45 Street.

\$ 1000 to answer General Sessions.

Cox

at Aug 15 9 a.m.

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 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 Aug 14 1888.
[Signature] Police Justice.

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

Dated _____ 188 ____
There being no sufficient cause to believe the within named _____ Police Justice.

_____ guilty of the offence within mentioned, I order he to be discharged.
Dated _____ 188 ____
_____ Police Justice.

0700

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Dominic Fagnola

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

Dominic Fagnola

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

The said Dominic Fagnola,

late of the City of New York, in the County of New York aforesaid, on the 15th day of August, in the year of our Lord one thousand eight hundred and eighty five, with force of arms, at the City and County aforesaid, in and upon the body of one James Fox, in the peace of the said People then and there being, feloniously did make an assault and kill the said James Fox, with a certain knife, and also with a certain sharp instrument to the great injury of said James Fox, which the said Dominic Fagnola in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound

with intent kill the said James Fox 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

Dominic Fagnola

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

The said Dominic Fagnola

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 one James Fox in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and kill the said James Fox

with a certain knife, and also with a certain sharp instrument to the great injury of said James Fox, which the said Dominic Fagnola in his right hand then and there had and held, the same being a instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully beat, strike, stab, cut 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.

Randolph B. Mathis, District Attorney,

0701

BOX:

184

FOLDER:

1863

DESCRIPTION:

Graves, Lewis

DATE:

08/18/85



1863

0702

187-B

Witnesses:

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

~~C. J. [Signature]~~

Counsel,

Filed 18 day of Aug 1885

Pleads Not guilty (G)

THE PEOPLE

vs.

F
Serris [Signature]

(2 cases)

Wm. [Signature]
[Signature]

RANDOLPH B. MARTINE,
District Attorney.

Burglary in the Third Degree.

Section 498

Order [Signature]

A True Bill.

[Signature]

Foreman

Placed July 3 day
S. J. [Signature] vs

0703

Police Court— 4th District.

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

of No. 1333 Avenue J Street, aged 57 years,
occupation Butcher being duly sworn
deposes and says, that the premises 50 feet West of Broadway East 74th Street,
in the City and County aforesaid, the said being a Stone

and which was occupied by deponent as a Butcher Stone
and in which there was at the time a human being, by name viz - this
deponent.

were BURGLARIOUSLY entered by means of forcibly entering
the parlour over the outer door of
said store.

on the night day of July 1885 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

United States Copper coins of
the value of forty cents.

the property of Deponent.

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by
Lewis Graves, non present.

for the reasons following, to wit: That deponent found
said defendant secreted under
the counter, near the money drawer
containing said copper coins, and
said drawer open.

Sworn to before me
this 14 August 1885.
Henry Hoffman
Police Justice

0704

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Lewis Graves 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. *Lewis Graves.*

Question. How old are you?

Answer. *15 years.*

Question. Where were you born?

Answer. *In New York City.*

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

Answer. *423 E 23 St. 2 weeks.*

Question. What is your business or profession?

Answer. *Machinist.*

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.*

*Lewis Graves.
Mark*

Taken before me this

day of

1885

Police Justice.

0705

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 Lewis Graves

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

Dated Aug 14 1885 [Signature] 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.

0706

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Lorenz Heffner
D 133rd Ave.
Lewistown

2
3
4

Office

Dated Aug 12 1885

Campbell & Martin
Magistrate.
Officer.

28 Precinct.

Witnesses.....

No. Street.

No. Street.

No. Street.

\$ 1000 to answer G.S. Sessions.

Even

0707

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Jervis Figueras

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

Jervis Figueras

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

The said *Jervis Figueras*,

late of the *Nineteenth* Ward of the City of New York, in the County of New York, aforesaid, on the *fourth* day of *July*, 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 *store* of one

Sorenz Holmann

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

Sorenz Holmann,

in the said *store* 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.

0708

BOX:

184

FOLDER:

1863

DESCRIPTION:

Graves, Lewis

DATE:

08/19/85



1863

0709

BOX:

184

FOLDER:

1863

DESCRIPTION:

Beatty, James

DATE:

08/19/85



1863

0710

Witnesses:

It appearing by the within affidavits that it is impossible to secure the attendance of John Davis a material and necessary witness for the People and without whose evidence a conviction cannot be had, I therefore respectfully recommend that the defendant herein James Beatty be discharged on his own recognizance, or bail to stand from further trial, N. Y., September 7, 1887.

Abel Vanum M. Davis
Att. District Attorney.

7207

Counsel,

Filed 19 day of Aug 1887

Pleas, Not guilty (Do)

THE PEOPLE

vs.

James Lyons
(X-Robert)

and
James Beatty

ASSAULT IN THE THIRD DEGREE

(Section 219, Penal Code.)

RANDOLPH B. MARTINE

District Attorney
James Beatty

A True Bill.

James Beatty
Foreman

Foreman

James Beatty

0711

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Andrew Spamer

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 *Andrew Spamer*

Question. How old are you?

Answer *23 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *570 East 73 St & about 2 years*

Question What is your business or profession?

Answer *Rag - cooler*

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
Andrew Spamer

Taken before me this

day of *August* 188*8*

[Signature]
Police Justice.

0712

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, ss

James Beatty 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 Beatty

Question. How old are you?

Answer

18 years

Question. Where were you born?

Answer.

New York

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

Answer.

425 East 11th St & about 6 years

Question What is your business or profession?

Answer

Machinist

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
James Beatty

Taken before me this

day of August 1888

Police Justice.

0713

Fourth District Police Court.

Sec. 198-200.

CITY AND COUNTY OF NEW YORK {^{ss}

Lewis Graves 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 Lewis Graves

Question. How old are you?

Answer 15 years

Question. Where were you born?

Answer. New York

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

Answer. 423 East 123 St

Question What is your business or profession?

Answer. Machinist

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
Lewis Graves
mark

Taken before me this

day of July 1888

[Signature]
Police Justice.

0714

District Attorney's Office.

PEOPLE

vs.

James Beatty
Assault

I want to have
this case disposed
of when reached.
Do not let it
come back.

Apr 29/87 P.B.M.
To Mr. Davis.

0715

Police Court— 4 District.

CITY AND COUNTY }
OF NEW YORK, } ss.

of No. 336. Schubert Street, aged 30 years,
occupation Cigar Maker being duly sworn, deposes and says, that
on the 8 day of August 1885 at the City of New York,
in the County of New York,

he was violently ASSAULTED and BEATEN by Andres, Daniel,
Levis Graves, & James Beatty, now
present. That said Daniel kicked de
ponent in the back, and said Graves and
Beatty generally struck deponent a
number of blows in the face
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 14
day of August 1885 } James J. Van
J. J. Kelly Police Justice

0716

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 James Leach and James Leach 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.

I have admitted the above named James Leach to bail to answer by the undertaking hereto given.

There being no sufficient cause to believe the within named James Leach guilty of the offence with which he is charged, I order that he be discharged.

Dated Aug 14 1885 Police Justice. [Signature]

Police Court, 4 District,

THE PEOPLE, &c.,
on the complaint of
John Fenick
336 E. 70th

1 Andrew James
2 Dennis Greene
3 James Beatty
4

Offence—Assault & Battery

Dated August 14 1885
[Signature] Magistrate.
Officer. [Signature]
Nebk. [Signature]
Witness, 25
No. 4
Street, 4

No. 112 53 to answer James L Sessions.
Street, 200
No. 112 Car
No. 3 Bailed by [Signature]
No. 116 7th

0717

Mr. David Brown

PART III.

THE COURT ROOM IS IN THE THIRD STORY.

If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room
Door that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To *J. M. Smith* *Perik*
of No. *336 E. 70* Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the County Court House, in the Park of the said City, on the *2* instant, at the hour of Eleven day of *May* in the forenoon of the same day, to testify the truth and give evidence in our behalf against

in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.
WITNESS Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of _____, in the year of our Lord 1887.

RANDOLPH B. MARTINE, *District Attorney.*

C

0718

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING PARK.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

To John Verik
of No. 336 E 70 Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the 19 day of August instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Jas. Beatty
in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of August in the year of our Lord 1887

RANDOLPH B. MARTINE, *District Attorney.*

0719

GLUED PAGE

Court of General Sessions.

THE PEOPLE

vs.

James Beatty

City and County of New York, ss.:

Samuel J. Campbell

being duly

sworn, deposes and says: I am a Police Officer attached to the 25th Precinct,

in the City of New York. On the 18th day of August 1887,

I called at No. 336 East 70th Street

the alleged residence of John Venik

the complainant herein, to serve him with the annexed subpoena, and was informed by the housekeeper that the said Venik has moved from there over 18 months ago and that she dont know where he moved to, and has not seen or heard of him since.

I also made diligent search and inquiry in the neighborhood and at several Bohemian Saloons and Segar Factories but could not find anyone who knows the present whereabouts of the said John Venik.

S. J. Campbell

Sworn to before me, this 19 day

of August, 1887

Rudolph L. Scharf

COMMISSIONER OF DEEDS
N. Y. CITY & COUNTY

0720

Court of General Sessions.

THE PEOPLE, *vs* the Complaint of

John Venik

^{vs.}

James Beatty

Offense:

RANDOLPH B. MARTINE,
District Attorney.

Affidavit of Police Officer

Sam. J. Campbell

25

Precinct.

Failure to Find Witness.

0721

James J. Bennett
PART I

THE COURT-ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA

FOR A WITNESS TO ATTEND THE
Court of General Sessions of the Peace.

The People of the State of New York.

To *John Verik cigar maker*
of No. *336 E. 70th* Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *19* day of *August* instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Jas. Beatty
in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of *August* in the year of our Lord 1887
RANDOLPH B. MARTINE, *District Attorney.*

Mr. David Beatty

0722

GLUED PAGE

Part of General Sessions.

vs. PEOPLE

James Beatty

City and County of New York, ss.:

Chas. J. Lyons being duly

sworn, deposes and says: I reside at No. 656 72 Avenue Street, in the City of New York. I am a subpoena server in the office of the District Attorney of the City and County of New York. On the 18th day of August 1887, I called at No. 336 East 70th Street.

the alleged residence of John Verik the complainant herein, to serve him with the annexed subpoena, and was informed by several tenants that they do not know Verik, and they sent me to the office of the cigar factory and I was informed by the foreman Siegmund Bernhart that he knows all the people in that house but that no one resides or is employed there by the name of John Verik, and that he does not know where the said Verik resides or where he can be found.

Sworn to before me, this 19 day of August 1887

Rudolph L. Schauf

COMMISSIONER OF DEEDS, N. Y. CITY & COUNTY.

Chas. J. Lyons Subpoena Server.

0723

Court of General Sessions.

THE PEOPLE, *on the Complaint of*

John Levin

vs.

James Beatty

Offense:

RANDOLPH B. MARTINE,
District Attorney.

Affidavit of

Chas. J. Lyons

Subpoena Server.

Failure to Find Witness.

0724

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Lewis Graves
and James Beatty*

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

Lewis Graves and James Beatty

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

The said *Lewis Graves and*

James Beatty, each —

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

0725

BOX:

184

FOLDER:

1863

DESCRIPTION:

Green, John

DATE:

08/05/85



1863

0726

BOX:

184

FOLDER:

1863

DESCRIPTION:

Cunningham, Joseph

DATE:

08/05/85



1863

0727

BOX:

184

FOLDER:

1863

DESCRIPTION:

Holden, Joseph

DATE:

08/05/85



1863

0729

40
The People } Court of General Sessions. Part I
Joseph Holder } Before Recorder Smyth. Sept. 10. 1883.
jointly indicted with Joseph Cunningham for
burglary in the first degree.

Simon J. Cashner sworn. I live 419
East Seventy Sixth St., a tenement house, with
my family, a wife and five children; we oc-
cupy four rooms on the second floor; three
doors open on the hallway. I have furniture and
clothing in the house. I remember the morning
of the 23^d of July about ten minutes past one. I
went to bed between ten and eleven o'clock.
It was a very warm night, I went into the
sitting room to tie down and my wife and
three children were in her bed; the bed room
is next to the sitting room. The doors were all
locked. My wife called me and told me there
was somebody at the door, I got up and walked
into the bed room; there was a knock at the
door, and a voice said, "Mrs. Cashner, can
I see you a moment?" She said, "no, you
cant see me till morning." They said, "Is
Joe in?" that was myself. I spoke up and
said, I was in, they could not see me till
morning. I heard the words, I thought it
was Cunningham spoke, "you big son of a
b---h, that he would fix me. I heard them
muttering out in the hallway, and the

0730

first thing I knew my back room door was burst in and Green came with a revolver pointed at me. I ran into the sitting room to try to get something to defend myself; he walked in and held the revolver down towards my wife's head in the bed; she was hallooing "murder." I had nothing to defend myself, and I halloed out of the window for the police and they came away. I saw in the room Green, Holden and the other man standing in the back room door. I could not recognize him, but I thought he was Cunningham. The door latch where the lock goes into the catch was bursted loose and the latch was still locked. I gave the names of the men to the officer who were in the room. I believe Holden was arrested on the 23^d the same day. Holden said to me I had not ought to arrest him, that he was not ~~the~~ party. I know he is one of the men, I knew him before. Cross examined. He used to come to my house often before. I turned the lamp up when I heard the noise and it was sitting on the bureau in the bed room into which they came where my wife laid. The light was burning dimly at the time by which I saw their faces. Holden did not speak a word. They had been frequently in my

0731

house till ten or eleven o'clock. They had no business that hour of the night in my house. I saw Holden the next day in Seventy Sixth St. near First Ave.; he was brought up to me in the street after dinner. I was talking to Sergeant Hamilton at the time.

Mary Cashner sworn. I am the wife of the last witness and remember the morning of the 23^d of July when there was a knocking at the door; they called, "Mrs. Cashner, open the door." I says, "You can't see me, it is too late;" they knocked again and my husband answered. My baby cried, and I turned and I thought I heard a noise and there was a pistol to my face. I suppose it was green, I did not see his face, I know him by his clothes. I did not see Holden - only the man who held the pistol. I was very much frightened. The pistol was very close to my face. There was a very dim light in the room, but light enough for any one to see. I am sure it was a pistol, I described it to the officer. I could not tell whether Holden was there or not, for I could not look behind. The other parties were behind me. I knew Holden, certainly, but I did not see him there that night.

1

0732

Jacob Brunner sworn. I am a police officer attached to the 28th precinct. I was on duty in the morning of the 23rd of July. My post was from 75th to 79th sts. and First Ave. No 419 East 76th st. is on my post. I was going down between 77th and 78th sts. trying my doors. I heard the cry of "murder, watch, police" about five or ten minutes past one. I ran round to where I could place the noise and when I got to the house everybody was excited. I went up stairs and saw the latch burst off the inside door. They told me that three parties burst open the door and one of them had a revolver and threatened to shoot the woman. Mr. Cashner told me their names, John Green, Joseph Holden and Cunningham. That morning I found Green between four and five o'clock with a revolver on him; the other parties were arrested that evening. I saw Holden in the station house after the arrest. Sergeant Barnitt arrested the other parties. I did not know them, I only got their names from Mr. Cashner who knew them. I had no conversation with Holden in the station house about the crime. I saw marks of violence on the door that was broken in. The lady described a silver mounted pistol with a black handle, and I found it on Green.

0733

The case for the Defence.

Hannah Holders, sworn and examined.

I live at 401 East Seventy Sixth St. on the same block with Mrs. Cashner. I heard of the trouble in Cashner's house the day after. I saw my grand child Joseph the night before in his bed when the clock struck one in the morning between the 22nd and the 23rd of July. I was in my own bed sick. I understood from his mother that he was in bed at 11 o'clock, but I saw him after I went to call his mother at one o'clock to call another brother that had to go to a boat to work, and that is the reason I called her at that hour; it is perfectly true gentleman. Cross Examined. I did not see when he went to bed that night, for I was in bed before him. His mother is totally blind; she asked me if I was awake about one o'clock to call her as she had to call his younger brother. The room in which Joe slept was back of the kitchen; there was a glimmering light there; nobody else slept in the kitchen. I got up between seven and eight o'clock.

Sophia Holden sworn. I live at 401 East Seventy Sixth St. and am the aunt of Joseph Holden. I heard of the occurrence at Mrs. Cashner's house the next morning. I saw Joseph in bed at twelve o'clock that night. I went into the room exactly at 12 o'clock to get water to take medicine, I had been sick. I had my regular hour for taking

0734

medicine. Joseph's bed was made on chairs across his grand mother's bed room that leads into the kitchen Cross Examined. I did not see him after twelve until $\frac{1}{4}$ past four in the morning. I went into the room and saw him again. I would have heard him if he went out between twelve and a quarter past four because I did not go to sleep. I scolded the grand mother for getting out of bed, for I always called his mother.

Catherine Bolder sworn. I am the mother of the prisoner. I heard about the injury to Cashner's house the next day about ten o'clock. The night that happened Joe came in about eleven o'clock; he asked me if I had lunch for him? I said, 'yes,' he ate his lunch. I made a bed on the chair because I took a young man to board who occupied the bed room. I am blind but I can feel the hands of the clock. I got up and felt the clock; it was about $\frac{1}{4}$ past one. I got up to wake a boy who works on an ice wagon. Joseph was in bed from $11\frac{1}{2}$ to $5\frac{1}{2}$ o'clock. At that time I called him to go to work. I made a poultice and put it on his hand. He went down to the door and two young girls came up and said, "Joe is going to be arrested." I said, "What for?"

0735

Joseph Holder, sworn and examined. Live at 401 East Seventy Sixth St.; I worked in the soda water factory of Mr. Butler at 505 East Seventy Fourth st. for three years. I was not in Cashner's house the night of the trouble. I went to bed early that night about $\frac{1}{4}$ or $\frac{1}{2}$ past eleven in my own house. I stayed there till morning. I could not go to work with my sore hand. Mr. Cashner told me the next morning when I was sitting on the stoop to run away, there was a warrant for me in the station house. I told her I would not run away. I was innocent. I stood there and Mr. Sullivan and Hammit was on the corner. Mr. Sullivan went up in Cashner's house and came down again and talked to Sergeant Hammit and then came down and looked at me, and he says, "Take a walk." I says, "all right." I went down to the station house and they put up a charge against me of burglary. Cross Examined. On the 22nd of July I was not working, I walked around with my finger tied up in a bandage around Second Avenue. I was sent to the House of Refuge from this Court for stealing a coat in 1880. I was there nine months. I know John Green I saw him a month before my arrest. I slept in the kitchen; my mother slept in the bed room that was the first night I did not sleep in the bed.

0736

I slept in the kitchen, my mother slept in one bedroom, and my father and Mr. Riley slept in the other bedroom. he was boarding, he came about a week before I was arrested. I had been sleeping with him in the bed that week, but it was so warm I could not stand it and I made a bed on chairs. The boarder is not here.

Eliza Cuddy sworn. I live at 400 East 76th St. Holden lives in the rear building.

Mr. Butler, who keeps a soda water factory, in 76th St. is my son-in-law. I know the prisoner worked for him three years. I have always seen him very quiet and civil to everybody and very upright. Cross examined. Mr. Butler lives over the factory, he is not in town, he is in Phillipsburg, N.J.

Bridget Mullan sworn. I am the house keeper of the house 401 East Seventy Sixth St. for nine years. The prisoner lived in the house three years. I know nothing bad about him. He gave his money to his mother. I did not know he had been in the House of Refuge. I never knew him to be arrested for stealing.

Joseph Holden recalled. My relations with Mrs. Cashner are unfriendly; she made clothes for my mother's children. I have no feeling

0737

against her husband. This is a
certificate of character (Handing
it to the counsel)

The jury rendered a verdict
of guilty of burglary in the third
degree

0730

Testimony in the
case of
Joseph Holden
filed Aug
1885.

Green

0739

The People
vs.
John Green.

Court of General Sessions, Part I.
Before Judge Gildersleeve.

August 12, 1885.

Jointly indicted with Joseph Cunningham and Joseph Holden, for burglary in the first degree.

Simon J. Cashner sworn. I live 419 East 76th Street and recollect the 23rd of July about one o'clock in the morning, I was lying in my front sitting room and my wife was lying right opposite in the bed-room and a little child in bed with her; my wife called me and told me there was somebody at the door, I got up and went to the door and some one spoke and said, Mrs. Cashner, could I see you a minute? My wife says, not this hour, you can see me in the morning; the voice then said, is Joe in? I said they could not see till morning and they muttered something outside the door that they would blow the head off me; the next thing I knew, in came her bed-room door and the three men came in, it was bolted and locked and broken open; a revolver was pointed at me by Mr Green whom I have known three years, I rode cement and lime with him and knew him well, I had nothing to defend myself, he pointed the revolver at my wife's head and I heard him say, keep still, keep still; I halloed police and murder and they fled, the officer came and I showed him the door. There was light in the room on the bureau near the door, I am sure it was Green, I have known Holden three or four years, Cunningham I wont identify, I only identify him by his voice and his appearance but could not positively swear it was him. My wife had sixty dollars in the day-time,

0740

she is house-keeper and collects the rents for the house, the agent came in the day and got the money from her, she had a couple of dollars only in the house.

Cross Examined. I was examined before the Magistrate, I stated to the Magistrate that the revolver was pointed at me, I do not think that green was in the room over two or three minutes, I am familiar with Cunningham's voice for years.

Mary Cashner sworn. I am the wife of the last witness and recollect the occurrence of some one breaking in the door, I do not know whether Green was the man or not, it was dark and I only saw his clothes and h8s size; som ebody pointed a pistol at me, I heard no voice I was too much frightened to see anybody.

Cross Examined. This is a five story tenement house and at that time there was four families on each floor, a out twenty families in the house, I am the house-keeper, I never saw Green to my knowledge, the mother of the defendant was in my house, she did not make any proposition to me or my husband not to appear and prosecute.

Jacob Brunner sworn. I am a police officer of the 28th precinct and know the house 419 East 76th Street in the 19th Ward, I recollect seeing the complainant Mr. Cashner on the 23rd of July. At about one o'clock I heard cries of murder, watch and police, I was then on 77th Street and First Avenue, I ran down 76th Street and right in front of the house I saw quite an excitement; I went upstairs and found out that parties had burst open the door, I got a description from Mr. Cashner

0743

Police Court— 4 District.

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

Simon J. Cashner

of No. 419 East 76 Street, aged 55 years,
occupation Laborer. being duly sworn.

deposes and says, that the premises No 419 East 76 Street,
in the City and County aforesaid, the said being a brick building, situated on
the 2nd floor in rear.

and which was occupied by deponent as a dwelling
and in which there was at the time a human being, by name Mary P. Cashner
and five other

were **BURGLARIOUSLY** entered by means of forcibly breaking open
the door leading to the bedroom and said
premises

on the 23 day of July 1885 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

with the intent to commit a crime, and to
feloniously assault Mary P. Cashner deponent
Wife and deponent,

the property of

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid ^{assault committed} property taken, stolen, and carried away by

John Green, Joseph Cunningham
and Joseph Holder (all now here)

for the reasons following, to wit: That, at the hour of about 1

o'clock in the morning of said 23rd day of
July 1885, deponent was in his premises,
deponent heard some persons in the hallway
of said premises, when deponent heard
one of said men say Mrs Cashner, can
I see you a minute asking at the time
whether deponent was in, deponent
answered that he was in, but would

0745

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY
OF NEW YORK,

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

Question. What is your name?

Answer. John Green

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. New York

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

Answer. 382 East 44 Street 4 years.

Question. What is your business or profession?

Answer. Work along shore

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

Green

Taken before me this

day of

July

1885

Henry J. ...
Police Justice.

0746

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Joseph Cunningham 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.

Joseph Cunningham

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.

420 East 76 Street, 4 months

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 am not guilty

Joseph Cunningham
Mark

Taken before me this

day of

July

1884

John J. Conner Police Justice.

0747

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } SS

Joseph Holden 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. Joseph Holden

Question. How old are you?

Answer. 18 years

Question. Where were you born?

Answer. New York

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

Answer. 401 East 76 Street 1 1/2 years

Question. What is your business or profession?

Answer. Work in a Soda Water factory

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

Joseph Holden
Holden

Taken before me this 21st day of July 1885
John G. ...
Police Justice.

0748

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 Green
Joseph Cunningham & Joseph Holden
guilty thereof, I order that they be held to answer the same and they be admitted to bail in the sum of *Fifty* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until they give such bail.

Dated *July 31* 188*5* *John Norman* 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.

0749

769

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Susan J. Cashner
419 E. 76th

1 *John Green*
2 *Joseph ...*
3 *Joseph ...*
4

Offence Duty ...



BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated *July 24* 188*5*
Green Magistrate.
Sergeant ... Officer.
... Precinct.

Witnesses *Said ...*

No. *Mrs. Cashner* Street.
No. *419 E. 76th* Street.

No. _____ Street.
\$ *1500* to answer *fees* Sessions.

Cashner

0750

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 Green, Joseph
Pinningham and
Joseph Alden

The Grand Jury of the City and County of New York, by this indictment
accuse John Green, Joseph Pinningham
and Joseph Alden
of the CRIME OF Burglary in the first degree,

committed as follows:

The said John Green, Joseph Pinningham
and Joseph Alden, each

late of the 19th Ward of the City of New York, in the County of New York afore-
said, on the twenty-third day of July, in the year of our Lord
one thousand eight hundred and eighty-five, at the Ward, City and County aforesaid,
did unlawfully and feloniously break and enter, one
Mary S. Radmer being then and
there within the said dwelling
house, with intent to commit some
crime therein, to wit: with intent
in the said dwelling house, then
and there to feloniously assault
her the said Mary S. Radmer;
each of them the said John Green,
Joseph Pinningham and Joseph
Alden being then and there

assisted by or confederate actually
 present: against the form of the
 Statute in such case made and
 provided, and against the peace
 and dignity of the said People.

Second Point:

And the said Jury aforesaid,
 by this indictment further accuse
 the said John Tyeen, Joseph
 Cunningham and Joseph Wadsworth
 of the crime of Rape in the
 first degree, committed as follows:
 The said John Tyeen, Joseph Cun-
 ningham and Joseph Wadsworth, each
 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, about the hour of one
 of the clock in the night time of
 the same day, with force and arms,
 the dwelling house of said Simon
 Gardner there situate, lawfully
 and lawfully did break and
 enter, the said Simon Gardner
 being then and there within the
 said dwelling house, with intent
 to commit some crime therein to

0752

with intent to do and done,
 in the said dwelling house to
 feloniously assault the said Simon
 ✓ J. Gardner, each of them the said
 John Taylor, George Runningman
 and George Boden being then
 and there assisted by a party
 and several persons against
 the form of the Statute in such
 case made and provided, and
 against the peace and dignity
 of the said County.

Richard M. Martin,
 District Attorney.

0753

BOX:

184

FOLDER:

1863

DESCRIPTION:

Gunstein, Chas H.

DATE:

08/04/85



1863

0754

BOX:

184

FOLDER:

1863

DESCRIPTION:

Gunstein, Johanna

DATE:

08/04/85



1863

0755

#13 B

C. L. Kahn
237 Broadway

Counsel,

Filed 4 day of Aug 1885
Pleads *Chrymch*

Witnesses:

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

THE PEOPLE
vs.
Char. H. Gurskein
Mrs Johanna Gurskein

ASSAULT IN THE THIRD DEGREE

(Section 219, Penal Code.)

RANDOLPH B. MARTINE,
District Attorney.

Aug 7/85
Prob. Gued. & Acquitted.
A True Bill.

J. M. Covert
Foreman

7th

0756

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

District Police Court.

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

Question What is your name?

Answer

Charles Gusten

Question. How old are you?

Answer

37 years

Question. Where were you born?

Answer.

Germany

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

Answer.

1114 - 1st Avenue 1 year

Question What is your business or profession?

Answer.

Shoemaker

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

Answer.

Not guilty

By

Gusten

Taken before me this

day of

1885

Police Justice

0757

Sec. 198-200.

H District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Johanna Gunsteh 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 he see fit to answer the charge and explain the facts alleged against her that he 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

Johanna Gunsteh

Question. How old are you?

Answer

30 years

Question. Where were you born?

Answer.

Bellevue

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

Answer.

1114 - 1st Avenue 1 year

Question What is your business or profession?

Answer

Spacemaker

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.

Not guilty
Johanna Gunsteh

Taken before me this

20

day of

1885

John J. Conner

Police Justice.

0758

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 Smith

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 20 188 5 John Homan 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.

0759

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street

No. 4, by

Residence Street.

Police Court 2764 District.

THE PEOPLE, & c
ON THE COMPLAIN OF

Council
John Smith
28 St. East
Chas B.

- 1 *Thomas Gusten*
- 2 *Johanna Gusten*
- 3
- 4

Office *Richard*

Dated *July 20* 188*5*

Gorman Magistrate.

Long Officer.

28 Precinct.

Witnesses *Off. Sharkey*

No. *28* Street.

No. Street.

No. Street.

\$ *500* to answer

Chas

0760

Police Court— 4 District.

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

of No. 25th Police Precinct John Long Street,

being duly sworn, deposes and says, that
on Sunday the 19 day of July
in the year 1886, at the City of New York, in the County of New York,

he was violently **ASSAULTED** and **BEATEN** by Charles H. Gunstein &
Johanna Gunstein (both now here)
whom he beat and deposed while
he (deponent) was engaged in the dis-
charge of his duty as a police officer

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 20 day of July 1886 } John Long

John Gorman Police Justice.

0761

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles M. Feinstein
and *Emma Feinstein*

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

Charles M. Feinstein and Emma Feinstein

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

The said *Charles M. Feinstein and Emma Feinstein*, each —

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