

0222

BOX:

230

FOLDER:

2253

DESCRIPTION:

Fant, Robert

DATE:

09/27/86



2253

0223

BOX:

230

FOLDER:

2253

DESCRIPTION:

Scanlon, Charles J.

DATE:

09/27/86



2253

219 - ...  
Counsel,  
Filed ... day of ... 1886  
Pleadings ...

Entered in the third Degree.  
Sections 495, 506, 528 and 532.

THE PEOPLE  
vs.  
Robert Font  
and  
Charles J. Scambon

RANDOLPH B. MARTINE,  
District Attorney.  
(and) (Pled guilty & acquitted).

A True Bill.

Wm. D. Macceas  
Foreman

Book 14

No 219

Witnesses:

Edna Tobin  
J. J. Parker

0225

Police Court— 4 District.

City and County of New York ss.

of No. 88 Edward Tobin 49 years, occupation Carpenter being subscribed

deposes and says, that the premises No. 754 West 35th Street, in the City and County aforesaid, the said being a 5 Story Brick Apartment House and which was occupied by deponent as was working in and in which there was at the time no human being, by name

were BURGLARIOUSLY entered by means of forcibly removing and wrenching the locks and fastenings of three doors on said building

on the 10th day of Sept 1886 in the Evening time, and the following property feloniously taken, stolen, and carried away, viz:

A number of mechanics tools, such as one level, a Starkey, Plumb line and three planes and two chisels, two banks of Lash cord and one mortice lock, of the value of Fifteen Dollars

the property of Samuel Smyth, Patrick McKenna and Dependent 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

John Charles Deaton (both now here)

for the reasons following, to wit: When deponent left said Building at 5 P.M. on said date, it was locked and fastened and effectually closed and when deponent arrived at said Building at 7 O'clock this 11 day of September he found the said property gone and the door fastenings as herein described, and deponent is deposing foray Edward Deaton

11 day of Sept 1886  
Edward Deaton  
John Charles Deaton

0226

Deponent was informed  
by some boys whose name  
Deponent knows not, and  
as the Blumb Bob was  
found on the Defendant  
boat, and Tom said the  
defendant Pearson was  
with him at the time  
he got said tools. Therefore  
deponent prays that said  
defendants be dealt with  
as the Law directs

Building

I sworn to before me  
this 11 day of Sept 1886  
Solomon Smith }  
Edward Hobbs }  
Police Justice

Police Court \_\_\_\_\_ District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

ss.

Burglary

Dated \_\_\_\_\_ 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ \_\_\_\_\_ Bail.

Bailed by \_\_\_\_\_

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

0227

Sec. 198-200

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Charles Scanlon* 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 at the trial,

Question. What is your name?

Answer. *Charles Scanlon*

Question. How old are you?

Answer. *16 years of age*

Question. Where were you born?

Answer. *New York City*

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

Answer. *760 West 36th Street 3 years*

Question. What is your business or profession?

Answer. *School Boy*

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*

*Charles J. Scanlon*

Taken before me this *11th* day of *April* 188*8*  
*Robert J. Smith*  
Justice.

0228

Sec. 100-200.

CITY AND COUNTY OF NEW YORK.

9 District Police Court.

*Robert Faut* 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: *Robert Faut*

Question: How old are you?

Answer: *15 Years of age*

Question: Where were you born?

Answer: *New York City*

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

Answer: *333 West 47th Street*

Question: What is your business or profession?

Answer: *Telegraph Boy*

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*

*R. Faut*

Taken before me this

day of *1911*

*[Signature]*  
Police Justice

0229

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

*Defendants*

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

Dated *Sept 11* 188 *Solow R. Smith* Police Justice.

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

Dated *Sept 13* 188 *Solow R. Smith* 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.

0230

Police Court District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

*Edward Tobin*  
*Robt Hunt*  
*Chas Deane*

Date *Sept 11* 188

*D. Bonney* Magistrate.

*W. Parker* Officer.

*270* Precinct.

Witnesses *Henry D. Stoking*

No. *447* Street.

No. *121* Street.

No. *500* Street.

\$ *500* to answer *J. J.*

*No's Bailed*

*1000*

*No 19*

BAILED,

No. 1, by \_\_\_\_\_

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

No. 2, by *James Cannon*

Residence *No 247 W. 35<sup>th</sup>* Street.

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

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

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

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

0231

General Sessions Court

The People

vs  
Robert Van...  
Defendant

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.

100 EAST 23<sup>d</sup> STREET.

New York, 5/1/11 1886

CASE NO. 23471 OFFICER James W. Bennett  
DATE OF ARREST 5/1/11  
CHARGE Burglary

AGE OF CHILD 15 years  
RELIGION Catholic  
FATHER Dead

MOTHER Margaret

RESIDENCE 53 1/2 E. 142<sup>d</sup> Street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT Robert  
Van... lives with his mother and was her  
main support. He was never arrested  
before and bears a good name amongst  
the tenants and neighbors and has a  
comfortable home.

2000

All which is respectfully submitted,

Wm. W. Terry  
President

To

0232

Chambers  
6 am.

the people  
are  
Admitted

100  
PENAL CODE, §

Report of The New York Society  
for the Prevention of Cruelty  
to Children.

ELBRIDGE T. GERRY.  
President, &c.,  
100 East 23d Street,  
NEW YORK CITY.

0233

Grammar School No 26.

New York Oct 6th 1886.

Charles J. Ocaulow was admitted to the Grammar Department of this school by promotion from the Primary Department July 1st 1881. His attendance for the school year since that time has been as follows:

1881-2,	80 percent.
1882-3,	59 "
1883-4,	87 "
1884-5,	96 "
1885-6,	97 "

As to his behavior he has never given his teachers the slightest trouble. The only fault that has been found with him has been for coming late, and not making an effort in his studies equal to his ability. In both these respects he has improved. I do not believe Ocaulow is an evil-minded boy.

Respectfully  
Hugh Carlisle  
Principal.

0234

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Robert Taut and  
Charles G. Spandon*

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

*Robert Taut and Charles G. Spandon*

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

The said *Robert Taut and Charles G. Spandon*, —

late of the *Trinity* Ward of the City of New York, in the County of New York, aforesaid, on the *fourth* day of *September*, in the year of our Lord one thousand eight hundred and eighty-*six*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *residence* of one

*Edward Taut, —*

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

*Edward Taut, —*

in the said *residence*, 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.

0235

SECOND COUNT—

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

*Robert Sant and Charles Scandon*  
of the CRIME OF ~~Rob~~ LARCENY committed as follows:

The said *Robert Sant and Charles Scandon*,  
*Scandon, York* —

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the Ward, City and County aforesaid, in the ~~mid~~ time of the said day, with force and arms,

one level of the value of one dollar, one hatchet of  
the value of one dollar, one plumb-bob of the value  
of ten cents, three planes of the value of two  
dollars each, two chisels of the value of one dollar  
each, two hanks of cord of the value of fifty  
cents each hank, and one lock of the value of  
one dollar,

of the goods, chattels and personal property of ~~and~~ *Edward Edin,*  
*Samuel Smith and Patience McKeena,*  
in the *building* of the said *Edward Edin.* —

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

*Charles Scandon*  
*Robert Sant*

0236

BOX:

230

FOLDER:

2253

DESCRIPTION:

Finley, James

DATE:

09/27/86



2253

0237

Thomas Callaghan  
Counsel,  
291 Broadway

Filed 9 Sept 1886  
Pleads Not guilty

Assault in the Second Degree.  
(Section 218, Penal Code)

THE PEOPLE

vs.

James Finley  
Clay 7/77  
Indictment dismissed

RANDOLPH B. MARTINE,

District Attorney.

Jan 7/88

A True Bill.

Walter Macclay  
Foreman

No 33  
Sept 28<sup>th</sup>  
1886

Witnesses:

Wm. Kennedy  
off docket

I viewed the state-  
ments made to me by  
compt. and depts, and  
considering the recom-  
mendation made by com-  
plainant I am satisfied  
that no conviction could  
be had herein and I  
recommend that within  
indictment be dismissed  
Jan. 7/88 Randolph B. Martine  
Dist. Atty.

0238

Police Court— 4th District.

CITY AND COUNTY } ss.  
OF NEW YORK, }

of No. John Kennedy  
the 22d Precinct Police Street, aged 30 years,  
occupation Police officer being duly sworn, deposes and says, that  
on the 25th day of August 1886 at the City of New York,  
in the County of New York,

he was violently ASSAULTED and BEATEN by James Finley (now here)  
who struck deponent with a stone on the  
back part of the body while deponent was  
in the discharge of his duty

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 25th  
day of August 1886

John Kennedy  
Police Justice

0239

New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

James Finley.

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. At the time of the assault there having been a string thrown I was informed by a person that it was thrown by the defendant. Since the occurrence he has always resided in my precinct and I have found him to be sober industrious and a hard working man. I further say that I was not injured in any way nor even a mark. I therefore desire to withdraw the charge.

<sup>Witness</sup>  
John A. Brennan

John Kennedy

0240

Sec. 198-200.

1<sup>st</sup> District Police Court.

CITY AND COUNTY OF NEW YORK.

James Finley

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 Finley

Question How old are you?

Answer 25 years

Question. Where were you born?

Answer. Ireland

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

Answer. 502 West 53<sup>rd</sup> Street. 2<sup>nd</sup> of Manhattan

Question What is your business or profession?

Answer Stableman

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 Finley  
Mark

Taken before me this 25<sup>th</sup> day of August 1888  
[Signature]  
Police Justice.

0241

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

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

Dated August 25 1886 [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 he to be discharged.

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

0242

BAILED,

No. 1, by Thomas St Stanley

Residence 244 West 55<sup>th</sup> Street.

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

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

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

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

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

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

1274  
Police Court 4 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Kennedy  
22 vs. Pract.  
James Finley

offence assault on  
officer

Dated August 25<sup>th</sup> 1886  
M J Puer Magistrate.

Kennedy Officer.  
22<sup>d</sup> Precinct.

Witnesses Read J. S. Kennedy  
10<sup>th</sup> Precinct Police



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

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

\$ 1000 to answer B.B.

Leam

No 33

General Assize.

The People of the }  
 vs }  
 James Finoley } 3

City of New York }  
 of New York } 86.

James Finoley being  
 duly sworn says that he resides  
 at 502 West 55<sup>th</sup> Street in the  
 City of New York and has resided  
 there since March 14 1886.

That on the 25<sup>th</sup> day of August 1886  
 there was a crowd of people and  
 a disturbance took place.

That an officer took me from  
 my door saying "You filed a"  
 "sting and that's an offence"

I immediately told the officer  
 that was not the case and  
 justly was awarded there  
 I had thrown a sting or in  
 any way interfered with the  
 officer or any one else.

Sworn before me }  
 James }  
 John A. Brennan }  
 Notary Public N. Y. Co

James Finoley  
 his  
 mark

0244

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 Enderby*

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

*James Enderby*

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

The said *James Enderby*

late of the City and County of New York, on the *Twenty* day of *August*, in the year of our Lord one thousand eight hundred and eighty *six*, with force and arms, at the City and County aforesaid, in and upon one

*John Kennedy*

in the peace of the said People then and there being, feloniously, did wilfully and wrongfully make an assault; and the said *James Enderby*

with a certain *stone* which *he* the said

*James Enderby*

in *his* right hand then and there had and held, the same being then and there a

*stone* likely to produce grievous bodily harm, *him*,

the said *John Kennedy*, then and there feloniously

did wilfully and wrongfully strike, beat, *him* bruise 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. ...*

*District Attorney*

0245

**BOX:**

230

**FOLDER:**

2253

**DESCRIPTION:**

Finn, James

**DATE:**

09/14/86



2253

*Answer Appraised P.*

Counsel,

*E. E. P.*

Filed *14* day of *Sept* 188*6*

Pleads *Am. Indict.*

Grand Larceny, 2nd degree  
[Sections 528, 53 Penal Code]

THE PEOPLE

*Bill of Indictment*  
*26. Person*  
*120. Person*

*James Finn*  
*6-25-86*

*Charles*  
*Randolph B. Martine*

RANDOLPH B. MARTINE,

District Attorney.

A TRUE BILL

*James R.*

*Walter MacGee*

*March 25th*

Foreman.

*March 22*

*9. Sh*

Witnesses:

*Paul Parone*

0247

Police Court 1st District.

Affidavit—Larceny.

City and County of New York, } ss.

of No. 329 East 82 Street, aged 39 years,  
occupation Shoemaker being duly sworn

deposes and says, that on the 21 day of August 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the Day time, the following property viz :

Good lawful money to the amount  
of value of one hundred & six dollars;  
one silver watch of the value of  
seventeen dollars; and one  
gold watch chain of the value  
of thirty-two dollars; and  
all of the value of one hundred  
& fifty six dollars. \$156.<sup>00</sup>/<sub>100</sub>

the property of Deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by James Kim (nowhere) and that this deponent

knows the following facts, to-wit:— That at the time mentioned the above described property was in a drawer of a bureau in deponent's apartment in the above mentioned premises. That at said time deponent saw defendant standing near said bureau; That when deponent became aware of deponent's presence he (deponent) ran away. That immediately thereafter deponent missed

Subscribed before me this

Police Justice

0248

from said drawer was above  
described property. That  
no person other than defend-  
-ant had an opportunity  
to take said property.

Made return

Sworn to before me  
this 27<sup>th</sup> day of August 1886

M J Bowler  
Police Justice

0249

Sec. 108-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

James Finn 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 Finn

Question. How old are you?

Answer

23 years

Question. Where were you born?

Answer.

United States

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

Answer.

379 East 22nd St. New York

Question. What is your business or profession?

Answer

Truck Driver

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

Answer.

I am guilty. I admit taking fifty-five dollars in money & the watch & chain

James Finn

Taken before me this

2-7-1888

day of

August 1888

Police Justice.

0250

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 Alexander

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 the discharge

Dated August 1886 J. J. O'Neil 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.

0251

BAILED,

No. 1, by Daniel Cornell

Residence 596 Dean Street.

~~City~~ Brooklyn

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

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

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

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

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

1398  
Police Court 1st District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Paul Perone  
329 E. 32  
at  
Jamaica

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

Amador  
Offence Cemy

Dated August 24 1886

Power Magistrate.

Jas Carls Officer.  
517 E 14 Precinct.

Witnesses \_\_\_\_\_

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

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

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

Committed to answer B.S.  
Cemy

No 114



0252

Blank Affidavit.—44.

John Polhemus, Printer and Mfg Stationer 102 Nassau St., N. Y.

State of New York,  
City & County of New York } ss:

James Malone and Edward J. Lovjoy <sup>Severally and</sup> being duly sworn, says that each for him self that they reside in the said city of New York and that they have known Stephen Finn <sup>father</sup> of James Finn and said James Finn for the last five years and ~~of good~~ have known them to be of good character.

And further this deponent says not.

Sworn to before me, this 27<sup>th</sup> day  
of November 1881

Hulbert P. P.  
Notary Public  
N.Y. Co 77

Edward J. Lovjoy  
his  
James & Malone  
Mark

0253

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 Timm

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

James Timm

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

The said

James Timm,

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

one watch of the value of seven  
dollars, one chain of the value of  
thirty two dollars, and the sum  
of one hundred and six dollars  
in money, lawful money of the  
United States and of the value of  
one hundred and six dollars.

of the goods, chattels and personal property of one

Paul Perrone.

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.

Paul Perrone  
Paul Perrone

0254

BOX:

230

FOLDER:

2253

DESCRIPTION:

Fischer, Charles

DATE:

09/14/86



2253

0255

The deft. gave important in-  
formation as to a simple escape  
of Daniel Brice and his accomplices  
from the prison. He stated that  
the deft. was in his own room  
at the time and saw the escape  
of the deft. and his accomplices  
from the prison.

Sept 26

The complainant hereinafter  
has with drawn his  
complaint for the reason  
stated in his affidavit  
herewith filed, stating  
that the value of the  
goods taken was hardly  
twenty - five dollars  
and that the offense of  
any thing was petty  
larceny. The defendant  
has been in the hands of  
the law. He has already been  
punished. He is tired  
of the grand jury and  
has no objection that  
he should be discharged in  
his own acquittal.  
Daniel Brice

Counsel, *R. P. R.*  
Filed *14* day of *Sept* 1886  
Pleads *Not Guilty*

Grand Larceny, 2nd degree  
[Sections 528, 58 1 Penal Code]

THE PEOPLE

vs. *R*

*Charles Fischer*

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

*Directed by Court*  
A True Bill.

*Alfred MacCree*  
Foreman.

*No 106*

0256

Police Court

3<sup>rd</sup> District.

Affidavit—Larceny.

City and County of New York, ss.

Gustav A. Baerensman

of No. 172 7<sup>th</sup> Street, aged 27 years,

occupation Copper Smith being duly sworn

deposes and says, that on the 19<sup>th</sup> day of August 1886 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:

90 lbs of Sheet Copper, 7 lbs of Copper pipe and one Sad iron, said property being an est of the value of thirty-five (\$35) 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 Charles Fischer, from the fact that said deponent then came to deponent and stated and represented to deponent that he had been sent from the firm of Long and Gillich at No. 52 Willck Street for said property. That deponent knowing said firm and believing the said representations of the deponent thereupon gave them the aforesaid property. That deponent also thereupon informed said firm that they had not sent for said property and that the said statements of said deponent were wholly false and untrue.

Subscribed and sworn to before me this 19<sup>th</sup> day of August 1886

Police Justice

0257

That defendant therein says that  
said defendant may be arrested  
and dealt with as the law may  
direct.

Sworn to before me this } Eastern District  
24<sup>th</sup> day of August 1886 }

A. D. Patterson

Procurator

0258

*Jed*

District Police Court.

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

*Charles Fisher* 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 Fisher*

Question. How old are you?

Answer *31 years of age*

Question. Where were you born?

Answer. *Germany United States*

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

Answer. *326 Carroll St. Brooklyn*

Question. What is your business or profession?

Answer *Engineer*

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 of the charge.*  
*C. Fisher*

Taken before me this

day of *August* 188*8*

*Walter Stevens*

Police Justice.

0259

*J. M.*

District Police Court.

Sec. 151.

CITY AND COUNTY }  
OF NEW YORK, } SS

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

Whereas, Complaint on oath, has been made before me undersigned, one of the Police Justices in and for the said City, by *Gustav A. Baerenklein*

of No. *172 Forsyth* Street, that on the *19* day of *August* 188*6* at the City of New York, in the County of New York, the following article to wit:

*91 lbs of Sheet Copper, 7 lbs of Copper pipe and a padlock, in all*

of the value of *thirty - five* Dollars,

the property of *the said Gustav A. Baerenklein* as taken, stolen, and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by *Charles Fischer*

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring *him* before me, at the *3* DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this *24* day of *August* 188*6*

*J. M. Hutton* POLICE JUSTICE.

0260

POLICE COURT. 3 DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Gustav A. Baerens

vs.

Charles Fisher

Warrant-Larceny.

Dated Aug 24 1886

Patterson Magistrate

Bayer Officer

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

Bayer Officer.

Dated August 28 1886

This Warrant may be executed on Sunday or at  
night.

J. M. Patterson Police Justice.

REMARKS.

Time of Arrest, 8<sup>30</sup> A.M.  
August 28 - 1886

Native of U.S.

Age, 31

Sex Male

Complexion, Dark

Color White

Profession, Engineer

Married

Single, Yes

Read, Yes

Write, Yes

0261

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

*Charles Fischer*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of ~~Fifty~~ *Fifty* 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 *August 28* 188 *A. M. Patterson* 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.

0262

BAILED,

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

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

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

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

Bail fixed at  
\$300.

Sept 2<sup>nd</sup> 1896.

John A. Chubb  
Inter appeal

VI  
Police Court 7 7 3 1893  
District.

THE PEOPLE, &c,  
ON THE COMPLAINT OF

Gustav Robert Klumpp  
172 1/2 South  
Charles Fischer

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

Office J. M. Conroy

Dated August 24 188 6

Patterson Magistrate.

Bayer Officer.

10 Precinct.

Witnesses Mr. Long

No. 52 Willet Street.



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

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

\$ 1500. to answer G.S.

40106 Conroy

0263

Court of General Sessions

The People  
- of -  
Charles Fischer )

City and County of New York ss:  
Gustav Baerenthal bring  
duely sworn says - That he is the  
Complainant in the above entitled pro-  
ceeding - That he does not desire to  
prosecute the Defendant, for the fol-  
- lowing reasons

The Deponent is satisfied that the  
Defendant has been, heretofore, a  
sober, honest and industrious Young man,  
and that this is his first offence of  
any kind against the law.

It is true, as charged in the indictment  
that the Defendant by a false pretence  
obtained from Deponent the goods named  
in the indictment, but he was partially  
intoxicated at the time and Deponent  
takes that fact into account in  
connection with the fact that this is his  
first offence.

Defendant is an Engineer by vocation  
and has always been attentive to his business  
and maintained his wife & children in  
comfort and respectability.

Deponent says further that he is  
ignorant whether the offence charged  
should not have been petty larceny instead

0264

of grand larceny, that the value of the goods as stated by deponent and named in the indictment was deponents asking price for same. That in the general market they would be of the value of less than twenty-five dollars.

The defendant has been already imprisoned about a month. His wife and children are entirely dependent on his earnings. The goods taken have been restored and in view of all the facts the deponent does not wish to prosecute the defendant and desires so far as he can do so to withdraw his charge against him.

Sworn to before me this  
20<sup>th</sup> day of September A.D. 1886

*Henry Bischoff Jr*  
Notary Public  
N.Y. Co (94)

*Justus L. Buerenblom*

0265

Court of General Sessions

The People

vs

Charles Fischer

Affidavit

0266



RECORDERS CHAMBERS

Mrs M. Jackson  
33 Park Street

By Warden City

0267

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 F. Gardner*

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

*Charles F. Gardner*

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

The said *Charles F. Gardner*

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

*namely one pound of sheet copper  
of the value of thirty cents and  
one pound of sheet copper  
of the value of forty cents and  
one iron of the  
value of one dollar.*

of the goods, chattels and personal property of one  
*Augustus A. Barendse*

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.

*Richard B. ...  
District Attorney*

0268

BOX:

230

FOLDER:

2253

DESCRIPTION:

Fisher, Charles

DATE:

09/17/86



2253

0269

BOX:

230

FOLDER:

2253

DESCRIPTION:

Brown, William

DATE:

09/17/86



2253



0271

Police Court 6<sup>th</sup> District.

City and County  
of New York,

*Estate Agent*

vs. William Montgomery, 25 years old, Real  
of No. 164 Lincoln Avenue, New York Street, aged \_\_\_\_\_ years,  
occupation \_\_\_\_\_ being duly sworn.

deposes and says, that the premises No 564 East 135<sup>th</sup> Street,  
in the City and County aforesaid, the said being a brick building

and which was <sup>not</sup> occupied by deponent as a \_\_\_\_\_  
and in which there was at the time <sup>no</sup> human being, by name \_\_\_\_\_

were **BURGLARIOUSLY** entered by means of forcibly breaking the  
locks on the rear cellar door of said house

on the 2<sup>d</sup> day of September 1886 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz: A quantity of  
lead pipe of the value of Twenty Three  
Dollars

the property of S. B. Johnston, and in deponent's care and custody  
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  
Charles Fisher and William Brown, both  
now here

for the reasons following, to wit: Deponent is informed by James  
H. Edge that at about half past ten o'clock on the  
morning of said day he noticed said Fisher pass in to  
and out of said house and several times look  
up and down the street as if watching. Officer August  
H. Turner informs deponent that, being notified  
by said Edge, he approached said Fisher, who  
ran away, and pursued him a long distance before  
effecting his arrest. Thront Hill informs deponent

0272

that at said time and place he saw said Fisher and said Brown together with another man in the rear of said house and said Brown and said other man went in through the cellar door while said Fisher remained outside. On being notified by said officer defendant went to said house and found said property in the cellar, to which it had been moved from the upper portion of the house, and found that the cellar door had been broken open as aforesaid.

Subscribed before me this }  
3<sup>rd</sup> day of September 1886 }  
James C. Keilly }  
Police Justice }

William Montgomery

Police Court \_\_\_\_\_ District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Burglary

Dated \_\_\_\_\_ 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ \_\_\_\_\_ Bail.

Bailed by \_\_\_\_\_

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

0273

CITY AND COUNTY }  
OF NEW YORK, } ss.

James H. Edge, 38 years old, lumberman  
of 873 Washington Avenue August  
H. Turner, 47 years old, policeman  
of the 33rd Precinct and  
Frank Hill

aged 14 years, occupation Schoolboy of No.

152 Alexander Avenue Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of William Montgomery

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

Sworn to before me, this 3<sup>d</sup>  
day of September 1886

Sam'l O'Kelly  
Police Justice.

James H. Edge  
August H. Turner  
Frank S Hill

0274

Sec. 198-200.

6

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

William Brown

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 Brown

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. New York City

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

Answer. 229 East 111<sup>th</sup> St; 3 years

Question. What is your business or profession?

Answer. Peddler

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

William Brown

Taken before me this

day of September 1886

Samuel O. Kelly Police Justice

0275

Sec. 198-200.

67 District Police Court.

CITY AND COUNTY OF NEW YORK, } SS

*Charles Fisher*

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 Fisher*

Question. How old are you?

Answer. *33 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *No 23 68 - 2<sup>d</sup> Avenue; 3 years*

Question. What is your business or profession?

Answer. *Works in Fish store.*

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*

*Charles Fisher*

Taken before me this

*3<sup>d</sup>*

day of *September* 188*6*

*Samuel C. Kelly* Police Justice.

0276

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: Charles Fisher

and William Brun  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 150 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 September 3 1886

Samuel C. Bull 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.

0277

Police Court 6<sup>th</sup> District. 1336

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William Montgomery  
164 Kew-Forest Ave.

1 Charles Fisher

2 William Brown

3 \_\_\_\_\_

4 \_\_\_\_\_



Henry  
Offence

Dated September 3<sup>d</sup> 1886

O'Reilly Magistrate.

Turner Officer.

33<sup>d</sup> Precinct.

Witnesses said officer  
James H. Edge  
144 West - bet Morris & Railroad  
No. 87<sup>d</sup> West Street.

No. 157 Alexander Avenue Street.

Napoleon B. Renaley  
No 155 East 2<sup>d</sup> St

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

\$ 15.00 to answer LB

Om

No 171

BAILED,

No. 1, by \_\_\_\_\_

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

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

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

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

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

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

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

0278

**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 Fisher and  
William Brown*

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

*Charles Fisher and William Brown*

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

The said *Charles Fisher and William  
Brown, both* —

late of the *Third* - *Third* Ward of the City of New York, in the County of  
New York, aforesaid, on the *second* — day of *September*, in the year of  
our Lord one thousand eight hundred and eighty-*six* —, with force and arms, at the Ward,  
City and County aforesaid, a certain building there situate, to wit: the *residence* of one

*S. C. Johnston,* —

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

*S. C. Johnston,* —

in the said *residence*, 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.

0279

SECOND COUNT—

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

*Charles Fisher and William Brown*  
of the CRIME OF *Robt* LARCENY, — committed as follows :

The said *Charles Fisher and William Brown, both —*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the *day* time of the said day, with force and arms,

*a quantity of lead pipe (a more  
particular description thereof is  
to be found in the  
indictment) of the value of Twenty  
five dollars,*

of the goods, chattels and personal property of one

*S. B. Johnson, —*

in the *building* of the said

*S. B. Johnson, —*

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

*Randolph B. ...  
Attorney*

0280

BOX:

230

FOLDER:

2253

DESCRIPTION:

Fitzgerald, John

DATE:

09/16/86



2253

0281

*C. Gallahan*

Counsel, .....  
Filed *16 Sept* 188*6*

Pleads *Not Guilty*

[Sections 628, 631, Penal Code].  
Grand Larceny, 2<sup>nd</sup> degree

THE PEOPLE

vs. *F*

*John Fitzgerald*

RANDOLPH B. MARTINE,

District Attorney.

*R. B. Martine*

A TRUE BILL.

*Alfred M. Coe*

Foreman.

*Nov 11 1886*

*Thos. J. Aquilino*

Witnesses:

*Geo. Madden*

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

0282

District Attorney's Office.

PEOPLE

vs.

John Fitzgerald  
Tuesday Oct 5.

Per. Served

By Carroll  
Oct 4<sup>th</sup>

0283

Police Court - 2 - District.

Affidavit - Larceny.

City and County } ss.:  
of New York,

of No. 215 1/2 Avenue - Street, aged 45 years,  
occupation File Driver being duly sworn  
deposes and says, that on the 18<sup>th</sup> day of August 1886 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 :

A Quantity of Brass Fittings  
of the Value of Fifty dollars. and  
One Machine's Wrench of the Value  
of Two 1/2 dollars - All being of the Value of  
Fifty two 1/2 dollars  
the property of Deponent

Sworn to before me, this 18<sup>th</sup> day of August 1886

of [Signature]  
Police Justice.

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 John C. Spald (nowhere)  
from the fact that the said Spald  
admitted and confessed in  
deponent's presence that he did  
there steal and carry away said  
property from a vacant lot in the  
Corner of 2<sup>d</sup> Avenue and 101<sup>st</sup> Street

Subscribed  
James C. Madden  
Deponent

0284

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer *John Fitzgerald*

Question. How old are you?

Answer *11 1/2 Years -*

Question. Where were you born?

Answer *New York*

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

Answer *187 3 Avenue. 8 Months*

Question. What is your business or profession?

Answer *School Boy -*

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*

*John Fitzgerald*  
*John Fitzgerald*

Taken before me this

day of *August* 188*8*

Police Justice.

0285

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, DISTRICT.

of No. the 23rd Precinct Police Street, aged 37 years,  
occupation Police Officer - being duly sworn deposes and says,

that on the 27th day of August 1886

at the City of New York, in the County of New York, he arrested  
John Fitzgerald (now here)  
charged with Larceny - deponents  
swears that the said Fitzgerald may  
be committed in Hamman  
in order to enable deponent to  
produce proper evidence  
against the said Fitzgerald

Anthony J. Pank

Sworn to before me, this 28th day of August 1886  
M. J. Burke  
Police Justice.

0286

p223

Police Court,  District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

vs.

AFFIDAVIT.

*Sanborn*

*John Fitzgerald*

Dated *Aug 28* 188*8*

*J. Webb* Magistrate.

*Garner* Officer.

Witness, \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Disposition, \_\_\_\_\_

*4 Aug. 30 9. am*

0287

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 *John Fitzgerald* he be held to answer the same and he be admitted to bail in the sum of *Seven* 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 *August 31* 188 *6*

*H. A. [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 he to be discharged.

Dated..... 188

..... Police Justice.

0288

Police Court

District

1312

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James Madden*  
*John Fitzgerald*

*John Kelly*  
Officer

2  
3  
4

BAILED,

No. 1, by \_\_\_\_\_

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

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

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

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

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

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

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

Dated *August 30* 188

*John Kelly* Magistrate.

*James* Officer.

*33* Precinct.

Witnesses *Charles E. Knoll*

No. *100* Street.

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

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

\$ *700* to answer *GS*

*Com*

*Sp. 9. AM 31<sup>st</sup>*

*700 118*



0289

Court of  
General Sessions  
The People &c

vs  
John Fitzgerald

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.

100 EAST 23<sup>d</sup> STREET,

New York, Aug. 31<sup>st</sup> 1886

CASE NO. 25224

OFFICER

Panel 23<sup>rd</sup> Prec

DATE OF ARREST

August 27-1886

CHARGE

Grand Larceny

AGE OF CHILD

11 years

RELIGION

Roman Catholic

FATHER

John

MOTHER

Bridget

RESIDENCE

1859-3<sup>rd</sup> Avenue

AN INVESTIGATION BY THE SOCIETY SHOWS THAT nothing  
is known against either the boy or  
parents; Home comfortable and  
parents said to be sober & respectable

All which is respectfully submitted,

To

*Court of  
 General Sessions  
 The People &  
 vs  
 John Fitzgerald*

PENAL CODE, §

*Frank Lawrence*

**Report of The New York Society  
 for the Prevention of Cruelty  
 to Children.**

ELBRIDGE T. GERRY,  
 President, &c.,  
 100 East 23d Street,  
 NEW YORK CITY.

0291

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 Fitzgerald*

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

*John Fitzgerald*

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

The said

*John Fitzgerald,*

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

*a quantity of brass buttons, of a number and description to the Grand Jury expressed in manner, of the value of *Twenty* dollars, and one bunch of the value of *two* dollars and *Twenty* cents, —*

of the goods, chattels and personal property of one

*James Madden,*

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

*Randolph B. Martin*  
*Attorney*

0292

**BOX:**

230

**FOLDER:**

2253

**DESCRIPTION:**

Fitzmaurice, Patrick

**DATE:**

09/28/86



2253

0293

Witnesses:

*Jeremiah Heenan*

*John Shea*

*Off Sullivan, 6th*

Counsel,

Filed *28* day of *Sept.* 188*6*

Pleads *Not Guilty*

THE PEOPLE,

vs.

*Patrick Fitzmaurice*

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

RANDOLPH B. MARTINE,

*Deputy* District Attorney.

*Openly & lawfully*

A True Bill

*Alfred Mccleary*

Foreman.

*Dec 16<sup>th</sup>*

*45A*

*No 296*

*Dec 13<sup>th</sup>*

*S. S. A.*



0295

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question. What is your name?

Answer

*Patrick Fitzmorris*

Question. How old are you?

Answer

*35 Years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*37. Park Street*

Question. What is your business or profession?

Answer

*Baker*

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*

*Patrick Fitzmorris*

Taken before me this

*day of* *July* *1888*

Police Justice.

0296

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

Patrick Fitzmorris  
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 Sept 22 1886 Henry W. ... 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.

0297

Police Court 1 District.

1144

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Merrill Sheehan*  
vs. *Patrick Fitzmorris*

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

*Offence full answer*

BAILED,

No. 1, by \_\_\_\_\_

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

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

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

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

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

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

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

Dated *September 22* 188*8*

*Murray* Magistrate.

*James E. Sullivan* Officer.

Precinct.

Witnesses *Dr. E. R. Parke*

No. *Chamber St Hospital*

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

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

\$ *1000* to answer *Geo*

*No 296*

*(Com)*



0298

District Attorney's Office.

*Part One*

PEOPLE

vs.

*Patrick Fitzmaurice*

December

*16<sup>th</sup>*

*Pers. Huntley  
except Dr.*

*Dec. 13*

*P. 268*

0299

**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 *Jeremiah Sheehan*  
of No. *37 Park* Street,

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 *22* day of *October* instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

*Patrick Fitzmaurice*

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 *October*, in the year of our Lord 188

RANDOLPH B. MARTINE, *District Attorney.*

*Richard Sheehan*

0300

*Sick at*

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, Oct 21<sup>st</sup> 1886

To whom it may concern:-

This is to certify that  
Jeremiah Sheehan is at  
this hospital and at  
present is unable to be  
moved.

C. R. Parke M.D.

House Surgeon

0301

People  
to  
Patk. Fitzmaurice

1  
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50

0302

District Attorney's Office.

PEOPLE

vs.

Patrick Fitzmaurice

Assault -

Let this case  
go off your  
calendar and  
send the papers  
to me, P.L.M.,  
Nov 5/86

To  
Mr Fitzgerald

0303

PEOPLE

vs.

Patk. Fitzmaurice

Jere. Sheehan  
202 W. 125th St  
3<sup>d</sup> floor

0304

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Catrina S. Laguarda*

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

*- Katrina S. Laguarda -*

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

The said *Catrina S. Laguarda*

late of the City of New York, in the County of New York aforesaid, on the *Twenty first* day of *September*, in the year of our Lord one thousand eight hundred and eighty-*six*, with force of arms, at the City and County aforesaid, in and upon the body of one *Gerardo S. Medina*, in the peace of the said People then and there being, feloniously did make an assault and *in* the said *Gerardo S. Medina* with a certain *knife*

which the said *Catrina S. Laguarda* 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 *in* the said *Gerardo S. Medina* 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

*- Katrina S. Laguarda -*

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

The said *Catrina S. Laguarda*

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 *Gerardo S. Medina* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and *in* the said *Gerardo S. Medina*

with a certain *knife*

which *she* the said *Catrina S. Laguarda* in *his* right hand then and there had and held, the same being an *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.

*Catrina S. Laguarda*  
*[Signature]*

0305

**BOX:**

230

**FOLDER:**

2253

**DESCRIPTION:**

Fleming, Timothy

**DATE:**

09/17/86



2253

0306

Charles D. Maly  
7 November

Counsel,  
Filed 17 day of Sept 1886  
Pleads *Not guilty*

THE PEOPLE  
vs.  
R  
Timothy Fleming  
Assault in the Second Degree.  
(Resisting Arrest.)  
(Section 218, Penal Code.)

RANDOLPH B. MARTINE,  
By *Edw. J. J. J.* District Attorney.  
*Ed. J. J. J.* Deputy District

A True Bill.  
*Wm. J. Macrae*  
Foreman.  
*Sept 30th*  
*G. J. J.*

Witnesses:  
*Wm. J. J. J.*

*The conflict in open  
Court took to identify  
the dep. Sheriff's name.  
found a diomical of the  
Indictment. G. J. J.  
R. D. A*

*No 138*

0307

Police Court— 4<sup>th</sup> District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Michael J Mc Ginty  
of No. the 22d Precinct Police Street, aged 26 years,  
occupation Police officer being duly sworn, deposes and says, that  
on the 26<sup>th</sup> day of August 1886 at the City of New York,  
in the County of New York,

he was violently ASSAULTED and BEATEN by Timothy Fleming (nowhere)  
who in company with a number of ~~others~~ others  
were casting stones at defendant and others and  
of said stones or bricks struck defendant on the wrist  
that defendant placed defendant under arrest he being one  
of the crowd when he defendant violently cast defendant  
down on the street  
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 27<sup>th</sup>  
day of August 1886

Michael J Mc Ginty  
ay Ermer Police Justice

0308

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

~~Michael McGee~~ Timothy Fleming

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. Timothy Fleming

Question. How old are you?

Answer. 30 years

Question. Where were you born?

Answer. Ireland

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

Answer. 576 West 60th Street, New York

Question. What is your business or profession?

Answer. Brewery

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

Answer. I am not guilty.

Timothy Fleming

Taken before me this

day of

188

Police Justice

0309

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 August 27 188 6 cajony 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.

0310

Police Court 4th District. <sup>1297</sup>

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Michael McGuey  
vs. Fresh  
Timothy Fleming

Offence Assault

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

BAILED,

No. 1, by \_\_\_\_\_

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

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

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

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

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

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

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

Dated August 24 188 6

M. J. Brown Magistrate.

McGuey Officer.

22d Precinct.

Witnesses \_\_\_\_\_

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

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

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

\$ 500 to answer G. S.

CMU

No 138



0311

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Timothy Blenheim*

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

*Timothy Blenheim*

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

The said *Timothy Blenheim*

late of the City of New York, in the County of New York aforesaid, on the  
*twenty-ninth* day of *August*, in the year  
of our Lord one thousand eight hundred and eighty-*six*, at the City and County  
aforesaid, with force and arms feloniously made an assault in and upon one

*Michael J. McFadden*

then and there being a *sergeant* of the Municipal Police of the City of  
New York, and as such *sergeant* being then and there engaged in the lawful  
apprehension of *the said Timothy*

*Blenheim* for an assault.

and the said *Timothy Blenheim*  
him, the said *Michael J. McFadden*  
then and there feloniously did beat, strike, wound and otherwise illtreat, with intent  
then and there and thereby to prevent and resist the lawful apprehension  
of *himself* as aforesaid,

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.

0312

**BOX:**

230

**FOLDER:**

2253

**DESCRIPTION:**

Foley, John J.

**DATE:**

09/22/86



2253

Witnesses:

John Heblagan  
Off. Court Reporter, 4th St.

Counsel, *John J. Gill*  
Filed 22 (day) of Sept. 1886  
Pleads, *Am. v. Kelly*

THE PEOPLE  
vs.  
*John J. Kelly*  
Grand Larceny, 2<sup>nd</sup> Degree.  
(From the Person.)  
[Sections 528, 531, Penal Code.]

RANDOLPH B. MARTINE,  
District Attorney.  
*Pray / n*  
*pleads guilty*

A True Bill.

*Alfred Macleay*  
Foreman.  
*S. P. Dwyer*

No 211

0314

Police Court 1st District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 55 Lynch Street Brooklyn St. V. Street, aged 23 years,  
occupation Stock Keeper being duly sworn

deposes and says, that on the 10 day of September 1886 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 day time, the following property viz :

One double Case Gold watch of  
the value of thirty 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 John J. Foley (now here,

for the following reasons to wit: On  
said date about the hour of 2:30  
O'clock in the afternoon, deponent  
was standing in Park Row between  
New Chamber and Pearl streets when  
he felt a tugging at his watch  
which was at said time in the  
left hand pocket of deponent's Vest  
which was then worn on deponent's  
person as a portion of his bodily  
clothing - That deponent then and  
there missed the afore-described property  
as having been stolen from the pocket  
of said Vest - That deponent

100

Police Inspector

0315

was subsequently informed  
~~immediately~~ ~~by~~ ~~the~~ ~~name~~ ~~of~~  
~~John~~ ~~by~~ ~~Officer~~ ~~Frederick~~ ~~J.~~  
Lieutenant of the 24<sup>th</sup> Precinct Police  
that his said said defendant drop a  
watch on the sidewalk. That defendant  
has now seen said watch and  
fully identifies the same as the  
property stolen from his person  
and possession.

Sworn to before me <sup>John H. H. H. H.</sup>  
this 10<sup>th</sup> day of September 1886

Henry Murray  
Police Justice

0316

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Frederick J. Courtlander*

aged 43 years, occupation Police officer of No.

4th Precinct, Police Street, being duly sworn deposes and

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

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

Sworn to before me, this 10  
day of September 1888

*Frederick J. Courtlander*

*Wm Murray*  
Police Justice.

0317

Sec. 198-200.

*First* District Police Court.

CITY AND COUNTY OF NEW YORK

*John J. Foley*

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

Question. What is your name?

Answer *John J. Foley*

Question. How old are you?

Answer *21 years.*

Question. Where were you born?

Answer *Manchester England*

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

Answer *592 west 45th street, about 6 years*

Question. What is your business or profession?

Answer *Sailor*

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*

*J. J. Foley*

Taken before me this *11th* day of *May* 188*8*  
*[Signature]*  
Police Justice.

0318

*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 J. Foley*

*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* *September 10,* 188 *6* *Henry M. Munn* *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.*

0319

Police Court 1<sup>st</sup> District <sup>1385</sup>

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Chalogo*  
*55 vs. Lynch*  
*John J. Foley*  
1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
*Justice*  
*Am. Person*

BAILED,

No. 1, by \_\_\_\_\_

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

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

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

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

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

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

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

Dated *September 19* 188 *6*

*Murray* Magistrate.

*Frederick J. Court* Officer.

*4* Precinct.

Witnesses *Frederick J. Court*

*of the Precinct Police* Street.

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

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

\$ *1500* to answer *Get*

*10311 (Com)*



0320

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 J. [unclear]*

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

*John J. [unclear]*

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

The said *John J. [unclear]*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *fourth* day of *September*, in the year of our Lord one thousand eight hundred and eighty-*six*, in the *day* time of the said day, at the Ward, City and County aforesaid, with force and arms,

*one watch of the value of thirty*

*five dollars,*

of the goods, chattels and personal property of one *John J. [unclear]* on the person of the said *John J. [unclear]* then and there being found, from the person of the said *John J. [unclear]* 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. [unclear]*  
*Attorney*

0321

**BOX:**

230

**FOLDER:**

2253

**DESCRIPTION:**

Franklin, Edward

**DATE:**

09/23/86



2253

Witnesses:

*A. H. Strachan*

Counsel,  
Filed *23* day of *Sept* 188*6*  
Pleads,

THE PEOPLE  
vs.  
*100* *1* *1*  
*Edward J. Franklin*  
Grand Larceny, *2nd* Degree.  
(From the Person.)  
[Sections 528, 531, Penal Code.]

RANDOLPH B. MARTINE,

*Pr* *Aug-24/86* District Attorney.  
*Yelaco gully*

A True Bill.

*Hand Macleay*  
Foreman.

*S.P. Swaggs & Co*  
*W. West*

0322

0323

Police Court— 1st District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

Arnold F. Tinsdale

of No. 52 Lamont Street, aged 70 years,  
occupation Collector being duly sworn

deposes and says, that on the 11th day of September 1886 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 Gold watch chain

Being of the value of

Forty 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 Edward Franklin (now Leo)

for the reason that on said day deponent had the aforesaid property on his vest and to which was attached a watch which was in the vest pocket of the vest that deponent then had on, when said Franklin grabbed said property and ran away with the same, when deponent caused him to be arrested and charges him with the larceny of the property aforesaid.

Arnold F. Tinsdale

Sworn to before me, this 12th day of Sept 1886

William B. ...

Police Justice.

0324

Sec. 198-200.

1st District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Edward Franklin 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 Edward Franklin

Question. How old are you?

Answer 25 years.

Question. Where were you born?

Answer. New York City.

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

Answer. 106 Perry Street 2 years.

Question What is your business or profession?

Answer Push Wagon

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 dont know whether I am guilty or not. as I was under the influence of liquor

Edward A. Franklin

Taken before me this

12th

day of Sept 1888

John W. Frank

Police Justice.

0325

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

Edward Franklin  
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 Sept 12 1886 J. Murray Bond 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.

0326

1382  
Police Court 1st District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Israel F. Suddell*  
*27 Linnick*  
1 *Edward Suddell*  
2  
3  
4  
Office of the  
Clerk

BAILED,

No. 1, by \_\_\_\_\_

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

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

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

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

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

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

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

Dated *Sept 12* 188 *6*

*Frank* Magistrate.

*Kelz* Officer.

*5th* Precinct.

Witnesses \_\_\_\_\_

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

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

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

\$ *1000* to answer *Y.S.*

*Horby Com*



0327

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Edward Franklin*

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

*Edward Franklin* —

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

The said *Edward Franklin*,

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

*one watch-chain of the value of*

*forty dollars,*

of the goods, chattels and personal property of one *Arnold S. Swerdale*, on the person of the said *Arnold S. Swerdale*; then and there being found, from the person of the said *Arnold S. Swerdale*; 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.

*Charles J. Swerdale*  
*Attorney*

0328

**BOX:**

230

**FOLDER:**

2253

**DESCRIPTION:**

Fulton, Morton

**DATE:**

09/30/86



2253



0330

ORN PAGE

Department of  
PUBLIC CHARITIES AND CORRECTION,

HENRY H. PORTER, Pres't.

THOMAS S. BRENNAN,

CHARLES E. SIMMONS, Commissioners.

Office of City Prison, Corner of Franklin and Center Streets,

JAMES FINN, WARDEN.

New York, Dec 2 1886

Wm. Randolph D. Markie  
District Attorney

Sir,

Morton Fulton (colored) committed  
Sept 20/86 charged with Burglary, and  
Catharine Stalt, committed Sept 10/86 charged  
with Murder by Arson. have both been  
examined by Dr. Field Gammon in  
Penitentiary. who has pronounced them  
Insane

Respectfully

James Finn  
Warden

0331

Dr. J. L. Leonard,  
307 E. 116th St.

New York, Nov. 8<sup>th</sup> 1886,

Hon. Randolph B. Martin,  
District Attorney.

Dear Sir,

I have  
this day examined, at the City Prison,  
Morton Fullon and find that he  
has insane delusions.

Very respectfully,

J. L. Leonard.

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2072 SIXTH AVENUE.

New York. Nov 26<sup>th</sup> 1886.

Hon. Randolph B. Mantua

Dear Sir:

Acting upon your request of the 28<sup>th</sup> inst, I have today, with Dr J. B. Leonard, examined, at the City Prison, Minton, Fulton. I find that he is insane, suffering from mania or various delusions and conducting himself most of the time in a manner at variance with rational behavior.

Respectfully

Henry T. Ferris M.D.

0333

The People  
vs  
Morton Fulton

0334

*Part Two*  
~~TO THE CHIEF CLERK~~

SEND ME THE PAPERS IN THE CASE OF

PEOPLE

*vs.*

*Morton Fullerton*

*Nov 9<sup>th</sup>*

*Dr's*

*Isaiah*

*Dec 1*

*P.M.*

0335

Police Court 1st District.

City and County }  
of New York } ss.:

of No. 15 East 42nd Street, aged 34 years,  
occupation Waiter

deposes and says, that the premises No 15 East 42nd Street,  
in the City and County aforesaid, the said being a dwelling house

and which was occupied by deponent as a dwelling  
and in which there was at the time a human being, to wit - deponent

were BURGLARIOUSLY entered by means of forcibly opening the  
front area door of said premises  
by the use of keys or picklocks

on the 19th day of September 1886 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

Household furniture, and silver  
ware of the value two thousand  
dollar

the property of Laura Joy and in deponent's charge  
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

Morton Fulton

for the reasons following, to wit: That on said date deponent  
secretly fastened said premises and  
that at about the hour of 11.50 PM  
of said date deponent was aroused  
by Officer Ackerly of the 19th Precinct and  
informed by him that he had found  
said Fulton in said premises and  
the door broken as described

Frank Green

*Sworn to before me this 19th day of Sept. 1886*  
*Charles W. [Signature]*  
*Police Justice*

0336

TORN PAGE

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK } ss

*Morton Fulton*

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 *Morton Fulton*

Question. How old are you?

Answer *42 years*

Question. Where were you born?

Answer *Virginia*

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

Answer *119 W 24. 3 mos*

Question What is your business or profession?

Answer *Labourer*

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*

*Morton Fulton*  
*muf*

Taken before me this

day of

188

Justice.

0337

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 Joseph Land

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

Dated Sept 20 1888 Andrew J. White 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.

0338

BAILED,

No. 1, by \_\_\_\_\_

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

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

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

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

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

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

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

Police Court District. <sup>1426</sup>

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Frank Green*  
*715 E 2<sup>nd</sup> St*  
*Martin Sullivan*

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

*officer*  
*Wingman*

Dated *Sept 20* 188

*W. White* Magistrate.

*Wickery* Officer.

\_\_\_\_\_ Precinct.

Witnesses \_\_\_\_\_

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

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

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

\$ *2000* to answer *Geo*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*No 306*

*Sept 28 1886*  
*Bell ordered*  
*James MacCoy*  
*foreman*

0339

The People  
vs.  
Morton Fulton.

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

December 9, 1886.

A Jury was empanelled to try the issue whether the defendant be of sound mind.

Zenas L. Leonard sworn and examined.

By Counsel. Q. What is your profession.

A. I am a physician.

Q. Have you had occasion to devote special attention to diseases of the mind.

A. In a measure, yes sir.

Q. Have you had occasion to examine this defendant.

A. Yes sir.

Q. With regard to his mental condition? A. Yes sir.

Q. When?

A. I examined him first on November 8th and again on November 26th.

Q. Now, Doctor, from your examination of him, is it your opinion that he is now in a condition of mind capable of understanding the proceedings against him and capable of making a defence.

A. I do not think he is capable of understanding.

Q. Do you think that he is capable of communicating to his Counsel a defence to the charge against him, if he has a defence.

A. I do not think so.

Henry T. Pierce sworn and examined.

By Counsel. Q. Your profession? A. Physician.

Q. How long have you been a physician. A. Since 1870.

Q. Have you had occasion to devote special attention to

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diseases of the mind.

A. Yes sir.

Q. Have you examined this defendant.

A. I have.

Q. How lately? A. November 26th.

Q. With regard to his mental condition? A. yes sir.

Q. As a result of that examination do you find him now sane or insane.

A. Insane.

Q. Capable of understanding the proceedings against him.

A. No sir..

Q. Capable of making a defence, to the charge of burglary.

A. No sir.

Counsel: Upon that evidence we ask the jury to find the defendant insane.

The Court: Gentlemen of the Jury: If the evidence satisfies you that the condition of this man's mind is such as to render him incapable of making a defence or of understanding the nature of the proceedings against him you will say by your verdict, "we find the defendant insane". The case is with you.

Foreman: We find the defendant insane.

The Court: Hudson River State Hospital.

0341

Testimony in the case  
of  
Martin Fulton

filed Sept.  
1886

I, the undersigned, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the files of the Court in the case of Martin Fulton, et al. vs. the State of Missouri, in which said case the within and foregoing is the testimony of the said Martin Fulton, as given in the Court on the 14th day of September, 1886.

In testimony whereof, I have hereunto set my hand and the seal of said Court at St. Louis, Missouri, this 14th day of September, 1886.

J. W. [Name],  
 Clerk of the Court.

0342

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Morton Fulton

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

- Morton Fulton -

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

The said Morton Fulton,

late of the Nineteenth Ward of the City of New York, in the County of New York aforesaid, on the nineteenth day of September, in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, about the hour of seven o'clock in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of one Laura Fay,

there situate, feloniously and burglariously did break into and enter, there being then and there some human being, to wit: one Frank Green.

within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said Laura Fay.

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity,

Randolph Brantley, District Attorney