0008

BOX:
341
FOLDER:
3218
DESCRIPTION:
Carney, Ellen
DATE:
02/28/89

3218

S. 1 B. 9 243 Moss a

Counsel,

Filed 28 day of Feby 1889

Pleads, Not guilty & Ack

THE PEOPLE

vs.

Ellen Carney

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

J. Robertson

Foreman.

Part III April 15/89
Defendant discharged
on her own recognizance
[illegible]

Witnesses:

Kate Powers

The complainant cannot be found. Her testimony is essential. The affiant, I move that defendant be discharged on her own recognizance.
April 15/89 John A. Goff
Asst Dist Atty

00 10

Police Court— 4 District.

City and County of New York, } ss.:

Kate Powers

of No. 312 East 39 Street, aged 32 years, occupation Domestic being duly sworn deposes and says, that on the 5 day of February 1889 at the City of New York, in the County of New York, he was violently and feloniously ASSAULTED and BEATEN by Ellen Cearney (word here) who cut and stabbed deponent three cuts in the head with a knife she held in her 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 13 day of February 1889. } Kate + Powers mark

John Herman Police Justice.

0011

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 4 DISTRICT.

William C Rice

of the 21st Precinct Police Street, aged 27 years,

occupation Police officer being duly sworn deposes and says,

that on the 5 day of February 1889

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

Kate Powers, was assaulted and beaten by Ellen Carney (another) said Kate informed deponent in the presence of said Ellen, that said Ellen struck her on the head with a knife, that said Kate is now confined to her bed from the effect of the injuries inflicted and unable to appear in Court to make complaint. Deponent prays that said Kate be committed to await the result of said injuries

William C. Rice

Sworn to before me, this 6 day of February 1889

Police Justice,

0012

238

Police Court ..... District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

.....

vs.

Ellen Carney

AFFIDAVIT

Dated July 6 1889

..... Magistrate.

Rice

..... Officer.

Witness, ...

Disposition, $700 bail for 24 and to await the result of injuries

0013

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Ellen Carney 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. Ellen Carney

Question. How old are you?

Answer. 26 years

Question. Where were you born?

Answer. New York

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

Answer. 666 3rd Avenue 1 year

Question. What is your business or profession?

Answer. Dressmaker

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

Answer. I am not guilty and demand an Examination

Nellie Carney

Taken before me this 13 *day of* February 1889

John G. Hanson

Police Justice.

0014

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 Arfundaw

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 Feby 1 188 9 John J Gorman *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.*

0015

$500 bail for
Ex 2 P.M.
Feb 13/89

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street

238
84

256

Police Court--- ✓ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Kate Powers
612 East 39th
Ellen Carney
2 .....
3 .....
4 .....

Offence Assault
Felonious

Dated Feby 13 1889

Magistrate.

Officer.

21 Precinct.

Witnesses .....

No. ..... Street.

No. ..... Street.

No. ..... Street.

$ 500 to answer

Case

RECEIVED. DISTRICT ATTORNEY'S OFFICE. FEB 18 1889

00 16

Affidavit wanted 241

SUBPŒNA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

PART III.

THE COURT ROOM IS IN THE FIRST STORY.

If this Subpœna is disobeyed, an attachment will immediately issue.

Bring this Subpœna 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.]

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

To Kate Powers

of No. 312 E 39th Street,

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the 21st day of [illegible] 1889, at the hour of 11 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

Ellen Carney

Dated at the City of New York, the first Monday of [illegible] in the year of our Lord, 1889.

JOHN R. FELLOWS, *District Attorney.*

0017

Court of General Sessions.

THE PEOPLE

vs.

Ellen Barney

City and County of New York, ss:

Jacob Schaeffler being duly sworn, deposes and says: I reside at No. 195 East Houston Street, in the City of New York. I am a Subpœna server in the office of the District Attorney of the City and County of New York. On the 19th day of March 188 9, and on another occasion I called at 312 E. 39th St.

the alleged residence of Kate Powers the complainant herein, to serve her with the annexed subpœna, and was informed by the housekeeper of said premises, that said complainant had removed from said premises. She did not know where she had moved to. I also inquired of another tenant of said premises, and received information to the same effect.

Sworn to before me, this 20 day of March 188 9

Edward Grosse
Notary Public
City and County of New York

Jacob Schaeffler
Subpœna Server.

Court of General Sessions.

THE PEOPLE, *on the Complaint of*

vs.

Ellen Carney

Offence:

JOHN R. FELLOWS,
District Attorney.

Affidavit of
Jacob Schaeffler
Subpœna Server.

Failure to Find Witness.

00 19

Please bring Witness

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

The People of the State of New York.

To Kate Powers

of No. 312 East 39 Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, at the Grand Jury Room, in the third story of the Sessions Building adjoining the New Court House in the Park, in the City of New York, on the day of April instant, at the hour of 10½ in the forenoon of the same day, to testify the truth and to give evidence before the GRAND JURY, touching a certain complaint then and there pending against

Ellen Kearney

And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon FREDERICK SMYTH, Recorder at the City Hall, in our said City the first Monday of March in the year of our Lord 1889.

JOHN R. FELLOWS, *District Attorney.*

DIRECTIONS.

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

When you arrive at the witness room, hand this Subpœna to the officer or clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

LT PINK

0020

Court of General Sessions.

THE PEOPLE

vs.

Ellen Barney

City and County of New York, ss.:

William C. Rice being duly sworn, deposes and says: I am a Police Officer attached to the 21st Precinct, in the City of New York. On the 1st day of April 1889 I called at 312 East 39th St. and on two other occasions the alleged residence of Kate Powers — the complainant herein, to serve her with the annexed subpœna, and was informed by Mrs. Morrison, a tenant of said premises, that said complainant had removed from said premises about a month ago. She did not know where she had removed to. I was also informed by another tenant that said complainant had removed from said premises. Mrs. Morrison informed me that said Kate Powers had stated to her that she would not again appear against said defendant.

I have been unable to trace the whereabouts of said complainant.

Sworn to before me, this 1st day of April, 1889

Edward Grosse
Notary Public
City and County of New York

William C. Rice

Court of General Sessions.

THE PEOPLE, *on the Complaint of*

vs.

Ellen Carney

Offense:

RANDOLPH B. MARTINE,
District Attorney.

Affidavit of Police Officer

Wm. B. Rice

21st *Precinct.*

Failure to Find Witness.

0022

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Ellen Carney

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

The said Ellen Carney late of the City of New York, in the County of New York aforesaid, on the fifth day of February in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, at the City and County aforesaid, in and upon the body of one Kate Powers in the peace of the said People then and there being, feloniously did make an assault, and her the said Kate Powers with a certain knife which the said Ellen Carney in her right hand then and there had and held, the same being a deadly and dangerous weapon then and there wilfully and feloniously did strike, beat, cut, stab and wound, with intent her the said Kate Powers 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 Ellen Carney of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Ellen Carney late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Kate Powers in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and her the said Kate Powers with a certain knife which the said Ellen Carney in her right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case made and provided, and against the Peace of the People of the State of New York and their dignity.

THIRD COUNT—

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

The said Ellen Barney 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 said Kate Powers in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and her the said Kate Powers with a certain knife which she the said Ellen Barney in her right hand then and there had and held, in and upon the head of her the said Kate Powers then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said Kate Powers against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0024

BOX:
341
FOLDER:
3218
DESCRIPTION:
Carpenter, Thomas
DATE:
02/21/89

3218

Witnesses:

W. J. Sherman

220 J. Comm

Counsel,

Filed 21 day of Feby 1889

Pleads Guilty 25

THE PEOPLE

vs.

Thomas Carpenter

(3 cases)

POLICY.
[§ 344, Penal Code].

JOHN R. FELLOWS,
District Attorney.

A TRUE BILL.

Edwin Einstein
Feb 19

Foreman.

Part III February 20/90
Pleads Guilty
Sen. suspended
Fined on another Indictment

0026

Ref 16

16-43-5374

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

[illegible] of [illegible] cents for the same. He then
Auxiliary recorded the same on his Manifold
book, kept & used for the purpose of recording
selling policies.

Subscribed and sworn to before me
this 8th day of February 1889 } William J. Sherman
Police Justice

0027

16-43-35 10

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

Anthony Comstock of 150 Nassau Street, New York, being duly sworn, deposes and says that he has just cause to believe and does believe that Thomas Carpenter alias Cook here present did, on or about the 16th day of January, 1889, at number 98 Nesey street, in the City of New York and County of New York unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument, purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket is hereto annexed, and which said paper or instrument hereto annexed is what is commonly known as, or are called lottery policy and further that the said, Thomas Carpenter had in his possession, within and upon certain premises, occupied by him and situated and known as number 98 Nesey street, in the City of New York and County of New York aforesaid, certain others, what are commonly known as, or are called lottery policies or lottery tickets, and also certain writings, cards, books, documents, personal property, tables, devices, and apparatus, for the purpose of enabling others to sell or vend lottery policies or lottery tickets, and at, within and upon said premies, sells, vends, furnishes and procures, and had in his possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided.

Anthony Comstock.

Subscribed and sworn to before me, this 8th day of February 1889

Police Justice.

City of New York County of New York } ss.

W. J. Sherman of 150 Nassau street being duly sworn further deposes and says, that on the 16th day of January 1889, aforesaid, he called at the place of business of the said Thomas Carpenter aforesaid, at the said premises 98 Nesey street and there purchased the said paper, ticket and instrument, purporting to be what is commonly called a lottery policy as annexed to foregoing affidavit, under the following circumstances to wit: Deponent there saw the said Thomas Carpenter and had conversation with him in substance as follows. Deponent said, give me gig 16-43-35 for ten cents, the said Carpenter wrote annexed paper, handed same to deponent, and deponent paid him the sum of ten cents for the same. The said Carpenter recorded the same on his manifold book, kept & used for the purpose of recording & selling lottery policies.

Subscribed and sworn to before me this 8th day of February 1889

Police Justice

William J. Sherman

POLICE COURT— DISTRICT.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

Anthony Comstock & W. J. Sherman

VS.

Thomas Carpenter

LOTTERY AND POLICY.

Dated.....188

.....*Magistrate.*

.....*Clerk.*

.....*Officer.*

WITNESSES:

.....

.....

.....

.....

Bailed, $.....

to answer.....*Sessions.*

By.....

.....*Street.*

0029

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Thomas Carpenter 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 Carpenter.

Question. How old are you?

Answer. 38 years.

Question. Where were you born?

Answer. New York.

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

Answer. 256 Fulton Street. 4 years.

Question. What is your business or profession?

Answer. None

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

Answer. I am not guilty.

Thomas Carpenter

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

[illegible] *Police Justice.*

0030

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 February 8 188 9. *Police Justice.*

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

Dated February 8 188 9 *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.*

0031

Bond renewed Apl. 23/89

BAILED,

No. 1, by Thos Koop

Residence 136 E Broadway Street.

No. 2, by Alex McGarran

Residence 104 West 122d Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Police Court--- 1 District. 224

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anthony Comstock

vs.

Thomas Carpenter

2

3

4

Offence Sending Pers

Dated Feby 8 1889

Wiley Moore Magistrate.

Comstock Officer.

Co. Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$5000 to answer G.J.

Bailed

0032

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 Carpenter

The Grand Jury of the City and County of New York, by this indictment, accuse
— Thomas Carpenter —
of the CRIME OF SELLING WHAT IS COMMONLY CALLED A LOTTERY POLICY, committed as follows:

The said Thomas Carpenter

late of the City of New York in the County of New York aforesaid, on the eighth day of January in the year of our Lord one thousand eight hundred and eighty nine —, at the City and County aforesaid, feloniously did sell to one
William J. Sherman —
what is commonly called a Lottery Policy, the same being a certain paper, and writing, as follows, that is to say:

Bo 7
12-18-24 #10

(a more particular description of which said paper and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace 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
— Thomas Carpenter —
of the CRIME OF SELLING A PAPER, WRITING, AND DOCUMENT, IN THE NATURE OF A BET AND WAGER UPON THE DRAWING OF A LOTTERY, committed as follows:

The said Thomas Carpenter

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one William J. Sherman

a certain paper, writing and document, in the nature of a bet and wager upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document, is as follows, that is to say:

Bo 7
12-18-24 #10

(a more particular description of which said paper, writing and document, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

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

— Thomas Carpenter —

of the Crime of SELLING A WRITING, PAPER, AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows:

The said Thomas Carpenter

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one —

William J. Sherman —

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say:

Bo 7
12-18-24 #10

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

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

Thomas Carpenter

of the Crime of SELLING A PAPER, WRITING AND DOCUMENT IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said Thomas Carpenter

late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one William J. Sherman

a certain paper, writing and document in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

Bo 7
12—18—24 $10

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FIFTH COUNT.

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

of the CRIME OF SELLING A WRITING, PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said Thomas Carpenter

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one William J. Sherman

a certain paper, writing and document in the nature of an insurance upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

Bo 7
12-18-24 $10

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

Witnesses:

W. J. Thomas

222 J. Conner

Counsel,

Filed 21 day of Feby 1889

Pleads Guilty - 25

THE PEOPLE

40
256 Fulton St.
produce

Thomas Carpenter

(3 cases)

POLICY.
[§ 344, Penal Code].

JOHN R. FELLOWS,
District Attorney.

A TRUE BILL.

Edwin Emerson

Foreman.

Part III February 20/90 —
Pleads Guilty

Fined $50

0036

12-13-21 Pg 10

Exhibit A

jrh

ssau Street, New Yor
...ieve that, John D.
whose real names are unknown but who
did, on or about the 8th & 9th day of January

Exhibit B

street, in the City of New York and County of New York unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or

give six, two, sixteen, twenty-three for ten dollars
in both lotteries, whereupon the said Richard Roe

GLUED PAGE

0037

Exhibit B

York } ss.

sau Street, New Yor

lieve that, John D

whose real names are unknown but who

did, on or about the 8th & 9th day of January,

street, in the City of New York and County of New York unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket is hereto annexed, and which said paper or instrument hereto annexed is what is commonly known as, or are called lottery policy and further that the said, John Doe and Richard Roe aforesaid, now

has in their possession, within and upon certain premises, occupied by them and situated and known as number 98 Vesey street, in the City of New York and County of New York aforesaid, certain others, what are commonly known as, or are called lottery policies or lottery tickets, and also certain writings, cards, books, documents, personal property, tables, devices, and apparatus, for the purpose of enabling others to sell or vend lottery policies or lottery tickets, and at, within and upon said premies, sells, vends, furnishes and procures, and has in their possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided, and with intent to use the same as a means to commit a public offense.

Subscribed and sworn to before me, this 11th day of February 1889

Police Justice.

Anthony Comstock

CITY OF New York COUNTY OF New York } ss. W. J. Sherman, of 150 Nassau street, New York city being duly sworn further deposes and says, that on the 8th and 9th days of January 1889, aforesaid, he called at the place of business of the said John Doe, and Richard Roe aforesaid, at the said premises 98 Vesey street and there purchased the said paper, ticket and instruments purporting to be what is commonly called a lottery policies as annexed to foregoing affidavit, under the following circumstances to wit: Deponent there saw the said John Doe and Richard Roe and had conversation with them in substance as follows. Jan. 8th Deponent said, to John Doe, give me 12, 18, 24 for ten dollars in both lotteries, the said John Doe, took the annexed paper, gave same to deponent and deponent paid the said John Doe the sum of ten cents for the same.

Deponent, Jan 9th again visited said premises, and said to Richard Roe, give me, two, sixteen, twenty-three for ten dollars in both lotteries, whereupon the said Richard Roe

0038

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

W. J. Sherman being duly sworn, deposes

and says, that Thomas Carpenter

here present, is the one known as John Doe

in annexed complaint.

Subscribed and sworn to before me, this 8th day to February 1889

William J. Sherman

Police Justice.

0039

wrote paper annexed hereto marked Exhibit B. and handed same to deponent, and deponent paid the said Richard Roe, the sum of ten cents for the same. Deponent further says, that from personal observation, he is informed and verily believes that at — and upon said premises 98 Vesey street, the said John Doe and Richard Roe now have in their possession with intent to use the same as a means to commit a public offense, dices, books, papers, devices, apparatus and paraphernalia for gambling purposes in violation of Chapter 9, Penal Code of the State of New York.

William J. Sherman

Subscribed and sworn to before me this 7th day of February 1889

Wm. Wilcox Police Justice

POLICE COURT—Ninth DISTRICT.

LOTTERY AND POLICY.

THE PEOPLE, ETC.,
ON THE COMPLAINT OF
Anthony Comstock et al

vs.

John Doe
Richard Roe

Dated February 7 1889

Magistrate.
Clerk.
Officers.

WITNESSES:
A. Comstock
W. J. Sherman

Bailed, $

to answer

By

Sessions.

Street.

0040

City and County of New York, ss:

In the name of the People of the State of New York:

To any Peace Officer in the City and County of New York:

Proof by affidavit having been this day made before me, by Anthony Comstock and W. J. Sherman of 150 Nassau Street, New York City, that there is probable cause for believing that John Doe, and Richard Roe, whose real names are unknown, but who can be identified by W. J. Sherman

has in their possession, at, in and upon certain premises occupied by them and situated and known number 98 Vesey street in said City of New York certain and divers device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings, papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, blackboards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day time to make immediate search on the person of the said John Doe, and Richard Roe

and in the building situate and known as number 98 Vesey street aforesaid, for the following property, to wit: all Faro layouts, all Roulette Wheels and layouts, all Rouge et Noir, or Red and Black layouts, all gaming tables, all chips, all packs of cards, all dice, all deal boxes, all lottery policies, all lottery tickets, all circulars, all writings, all papers, all documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, all books all documents for the purpose of enabling others to gamble or sell lottery policies, all blackboards, all slips or drawn numbers of a lottery, all money to gamble with, and all device, establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the Tenth District Police Court at the Tombs, in Centre street in the City of New York.

Dated at the City of New York, the 7th day of February 1889

Wm. Meade

POLICE JUSTICE.

0041

Inventory of property taken by Wm O'Toole the Peace Officer by whom this warrant was executed :

~~Faro layouts,~~ ~~Roulette Wheels,~~ ~~Roulette layouts,~~ Rouge et Noir lay-outs, ~~gaming tables,~~ ~~chips,~~ ~~packs of cards,~~ ~~dice,~~ ~~deal boxes,~~ ~~deal trays for holding chips,~~ ~~cue boxes,~~ ~~markers, or tally cards,~~ ivory balls, 3 lottery policies, 9 lottery tickets, ~~circulars,~~ ~~writings,~~ ~~papers,~~ ~~black boards.~~ 1 slips, or drawn numbers in policy, ~~money,~~ ~~manifold books,~~ slates,

City of New York *and County of* New York *ss:*

I, Wm O'Toole the Officer by whom this warrant was executed, do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this 8 *day of* February 1887

Wm O'Toole

Sup Ct Commr

Police Justice.

Police Court--- Third District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Anthony Comstock Jr. et al.

vs.

John Doe et al.

Richard Roe et al.

Search Warrant.

Dated 188

Justice.

Officer.

0042

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss.

District Police Court.

Thomas Carpenter 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 Carpenter.

Question. How old are you?

Answer. 38 years.

Question. Where were you born?

Answer. New York.

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

Answer. 256 Fulton Street. 4 years.

Question. What is your business or profession?

Answer. None

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

Answer. I am not guilty.

Thomas Carpenter

Taken before me this 8 *day of* February *188*8

Police Justice.

0043

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* [illegible] *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 February 8 188 9 *Police Justice.*

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

Dated February 8 188 9 *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.*

0044

Bond renewed Apl. 23/89

BAILED,

No. 1, by Chas Young

Residence 136 E Houston Street.

No. 2, by Alex McGarrah

Residence 104 W. 122d Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Police Court--- 1 224 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Anthony Constant

vs.

Thomas Carpenter

1

2

3

4

Offence Larceny

Dated Feby 8 188 9

White Magistrate.

O'Toole Officer.

Co Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 500 to answer

Bailed

RECEIVED FEB 11 1889 DISTRICT ATTORNEY'S OFFICE

Sedg Porter

0045

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 Carpenter

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

of the CRIME OF SELLING WHAT IS COMMONLY CALLED A LOTTERY POLICY, committed as follows:

The said Thomas Carpenter

late of the City of New York in the County of New York aforesaid, on the ninth day of ~~January~~ June in the year of our Lord one thousand eight hundred and eighty , at the City and County aforesaid, feloniously did sell to one William J. Sherman

what is commonly called a Lottery Policy, the same being a certain paper, and writing, as follows, that is to say:

B Ex 18

-2-16-23 pro

(a more particular description of which said paper and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace 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

Thomas Carpenter

of the CRIME OF SELLING A PAPER, WRITING, AND DOCUMENT, IN THE NATURE OF A BET AND WAGER UPON THE DRAWING OF A LOTTERY, committed as follows:

The said Thomas Carpenter

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one William J. Sherman

a certain paper, writing and document, in the nature of a bet and wager upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document, is as follows, that is to say:

B Ex C8
-2-16-23 f10

(a more particular description of which said paper, writing and document, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

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

— Thomas Carpenter —

of the Crime of SELLING A WRITING, PAPER, AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows:

The said Thomas Carpenter

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one William J. Sherman

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say:

B Ex C8
2-16-23 f10

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

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

— Thomas Carpenter —

of the Crime of SELLING A PAPER, WRITING AND DOCUMENT IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said

late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one William J. Sherman

a certain paper, writing and document in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

B Ex C8
2-16-23 f10

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FIFTH COUNT.

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

— Thomas Carpenter —

of the CRIME OF SELLING A WRITING, PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said Thomas Carpenter

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one William J. Sherman

a certain paper, writing and document in the nature of an insurance upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

B Ex C8
2-16-23 f10

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

Witnesses:

W J Thomas

221 J Coman

Counsel,

Filed 21 day of Feby 188 9

Pleads Guilty w

THE PEOPLE

vs.

Thomas Carpenter

(3 cases)

POLICY.
[§ 344, Penal Code].

JOHN R. FELLOWS,
District Attorney.

A TRUE BILL.

Edwin Conklin

Foreman.

Part III February 20/90

Pleads Guilty

Sen suspended

Appeal on another case

0049

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 Carpenter

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

Thomas Carpenter

of the CRIME OF SELLING WHAT IS COMMONLY CALLED A LOTTERY POLICY, committed as follows:

The said Thomas Carpenter

late of the City of New York in the County of New York aforesaid, on the sixteenth day of January in the year of our Lord one thousand eight hundred and eighty nine, at the City and County aforesaid, feloniously did sell to one

William J. Sherman

what is commonly called a Lottery Policy, the same being a certain paper, and writing, as follows, that is to say:

Pt 16

16 — 43 — 35 & 10

(a more particular description of which said paper and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace 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

Thomas Carpenter

of the CRIME OF SELLING A PAPER, WRITING, AND DOCUMENT, IN THE NATURE OF A BET AND WAGER UPON THE DRAWING OF A LOTTERY, committed as follows:

The said Thomas Carpenter

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one

William J. Sherman

a certain paper, writing and document, in the nature of a bet and wager upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document, is as follows, that is to say:

Bx 16
16-43-35 ~~95~~/10

(a more particular description of which said paper, writing and document, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

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

Thomas Carpenter

of the Crime of SELLING A WRITING, PAPER, AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows:

The said Thomas Carpenter

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one William J. Sherman

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say:

Bx 16
16-43-35 ~~95~~/10

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

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

Thomas Carpenter

of the Crime of SELLING A PAPER, WRITING AND DOCUMENT IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said Thomas Carpenter

late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one William J. Sherman

a certain paper, writing and document in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

Bx 16

16-43-35 9/10

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FIFTH COUNT.

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

— Thomas Carpenter —

of the CRIME OF SELLING A WRITING, PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said Thomas Carpenter

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one William J. Sherman

a certain paper, writing and document in the nature of an insurance upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

Bx 16

16-43-35 9/10

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0052

BOX:
341
FOLDER:
3218
DESCRIPTION:
Carroll, John
DATE:
02/15/89

3218

Witnesses:

Wm. E. Bardwell,
Off. Timothy F. Garland,

Counsel,

Filed 15 day of Feby 188 9

Pleads,

THE PEOPLE

vs.

John E. Carroll

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

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Jos Robertson
Foreman.
Feby 15/89
Plead N.G.

Pen 4 months

0054

Police Court— 6 District. **Affidavit—Larceny.**

City and County of New York, } ss.

William E Bardwell

of No. 244 East 65th Street, aged 38 years, occupation Car starter of 3rd Ave Rail Road being duly sworn deposes and says, that on the 31 day of January 188 9 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 Coat, one pair of Pants and one Vest and one Shirt in all of the Value of Thirty dollars $30.00

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 John E. Carroll (Brewster)

from the fact that said defendant occupied a Room with deponent at the aforesaid premises, that said property was in a Wardrobe in defendants Room, deponent left said Room at about 2½ o'clock in the afternoon of said day when said defendant was in said Room, that when deponent returned on the following morning he discovered that said property was stolen, and said defendant did not return to his Room, that on the 9th day of February 1889 at the hour of about 3½ o'clock a.m. said defendant

Sworn to before me, this day of 188

Police Justice

0055

was arrested when two pawntickets were found in his possession and defendant identifies the property referred to by said pawntickets as the property stolen from deponent

Sworn to before me this
9 day of February 1889

J. E. Bardwell

John J. Morgan
Police Justice

0056

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

John E Carroll 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 E Carroll

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. Brooklyn

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

Answer. 344 West 54 Street, 1 week

Question. What is your business or profession?

Answer. Car driver.

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

Answer. I am not guilty

John E Carroll

Taken before me this 9 *day of* February 1899

[illegible]

Police Justice.

0057

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 Ryan

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

Dated July 9 188 9 John Hammer *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.*

0058

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street

219

Police Court--- 4 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Wm E Bardwell

244 vs. 65 Ar

1 John P Carroll

2 .....

3 .....

4 .....

Offence Larceny

Dated July 9 1889

Gorman Magistrate.

Timothy P Carlan Officer.

25 Precinct.

Witnesses same officer

No. ..... Street.

No. ..... Street.

No. ..... Street.

$ 500 to answer

Case

0059

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 E. Carroll

The Grand Jury of the City and County of New York, by this indictment, accuse John E. Carroll

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

The said John E. Carroll

late of the City of New York, in the County of New York aforesaid, on the thirty-first day of January in the year of our Lord one thousand eighty hundred and eighty-nine, at the City and County aforesaid, with force and arms,

one coat of the value of fifteen dollars, one vest of the value of four dollars, one pair of trousers of the value of ten dollars, and one shirt of the value of one dollar

of the goods, chattels and personal property of one William E. Bardwell

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.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said John E. Carroll of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said John E. Carroll 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, one coat of the value of fifteen dollars, one vest of the value of four dollars, one pair of trousers of the value of ten dollars, and one shirt of the value of one dollar of the goods, chattels and personal property of one William E. Bardwell by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said William E. Bardwell unlawfully and unjustly, did feloniously receive and have; the said John E. Carroll then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0061

BOX:
341
FOLDER:
3218
DESCRIPTION:
Carroll, Joseph
DATE:
02/13/89

3218

87

Counsel,

Filed 13 day of Feby 188 9

Pleads, Guilty

THE PEOPLE

vs.

Joseph Carroll

[Section ... Penal Code.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman.

See Report of N. Y. S. P. C. C. for information about defendant filed with these papers. If lost, notify the Society at once.

Witnesses,

Off. John T. Nilson,

I tried this case before Judge Martine and am familiar with the facts. I respectfully recommend that upon the defendant pleading guilty sentence be suspended.

Part 2 March 4th 1889

Wm Jerome

Deputy Asst

T.

0063

Court of General Sessions

The People
vs
Joseph Carroll.

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.
100 EAST 23D STREET,

New York, Feby 4th 1889

CASE NO. 40179 OFFICER Wilson 21st Precct
DATE OF ARREST Feby 3rd 1889
CHARGE Injuring the Riffle Road Track, violation of section 635 Penal Code

AGE OF CHILD 15 years
RELIGION Catholic
FATHER James
MOTHER Annie
RESIDENCE 313 E 39th St

AN INVESTIGATION BY THE SOCIETY SHOWS THAT boy is working every day, and is the support of his father & mother. He was arrested on the 30th of October 1887, together with another boy, charged with the larceny of a boat but discharged next day for want of evidence. Then was arrested again, some 4 months ago, on suspicion of stealing a valise, but discharged for want of evidence. The boys father has been sick for a year past, & is now confined to his bed. The parents are respectable, & well spoken of.

All which is respectfully submitted,
Unofe O'Gerry
President

To The Dist Atty.

Court of General Sessions

The People
vs.
Joseph Carroll

PENAL CODE, § 660

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.

0065

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 4 DISTRICT.

John T Wilson

of the 21st Precinct Police Street, aged 27 years,

occupation Police officer being duly sworn deposes and says,

that on the 3 day of February 1889

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

Joseph Carroll (second here)
did unlawfully and feloniously place
an obstruction upon the Rail road
track on 1st avenue on the corner of
East 39th Street a Rail Road operated
by Horses, in said City,
Deponent saw said defendant pull
a single truck upon said Rail
Road track, and attempting to upset
the same thereby causing an obstruction
in violation of section 635 of the Penal Code
of the State of New York

John T Wilson

Sworn to before me, this 4 day of February 1889

John H Ryan Police Justice,

0066

Sec. 198—200

4 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Frank Carroll

Question. How old are you?

Answer. 15 years

Question. Where were you born?

Answer. New York City

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

Answer. 243 E. 39 St. 9 years.

Question. What is your business or profession?

Answer. Work in a paper 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

Jas. Carroll

Taken before me this 4th *day of* Feb. 188 9

Wm. H. Murphy Esq. *Police Justice.*

0067

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 [illegible]

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 July 4 188 9 [illegible] *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.*

0068

Bond renewed
Feby 19th 1889

BAILED,

No. 1, by Charles O'Brien

Residence 348 East 56th Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

234 / 202

Police Court--- 4 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John T. Nilon

vs.

Joseph Carroll

2

3

4

Offence Assault & Battery
Bail $1,000 Penal

Dated Feby 4 1889

Goodman Magistrate.

Nilon Officer.

21 Precinct.

Witnesses George H. Young

No. 100 E 23 Street.

Secretary of Police Board to
bring certified copy of Charter
of incorporation

No. 7 Mad. Street.

RECEIVED

No. See Report of N. Y. S. P. C. C. Street.
for information about defendant
and witnesses; papers, if lost,
notify the Society at once.

$ 100

Report of N. Y. S. P. C. C.
for information about defendant
and witnesses; papers, if lost,
notify the Society at once.

0069

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

The Grand Jury of the City and County of New York, by this Indictment accuse [illegible]

of the crime of [illegible]

committed as follows:

The said [illegible]

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

01 00

0071

[illegible] COUNT.

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

of the Crime of [illegible]

committed as follows:

The said [illegible]

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid, at the City and County aforesaid, [illegible]

John R. Fellows,

District Attorney

0072

BOX:
341
FOLDER:
3218
DESCRIPTION:
Cavagnaro, Carlo
DATE:
02/27/89

3218

272

Witnesses:

Counsel,

Filed 4 day of Feby 188 9

Pleads,

THE PEOPLE

vs.

Carlo Cavagnaro

PETIT LARCENY.

[Sections 528, 532 Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

J. Robertson

Foreman.

Plead Guilty

Sen: One month.

July 19/89

0074

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Carlo Cavagnaro

The Grand Jury of the City and County of New York, by this indictment, accuse Carlo Cavagnaro of the CRIME OF PETIT LARCENY committed as follows:

The said Carlo Cavagnaro

late of the City of New York, in the County of New York aforesaid, on the fourteenth day of February in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, with force and arms,

three billiard balls of the value of two dollars each

of the goods, chattels and personal property of one Vincenzo De Vito

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

John R. Fellows,
District Attorney.

SECOND COUNT—

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

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

The said

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

of the goods, chattels and personal property of one

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before unlawfully stolen, taken and carried away from the said

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

then and there well knowing the said goods, chattels and personal property to have been unlawfully stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0076

BOX:
341
FOLDER:
3218
DESCRIPTION:
Charky, Marie
DATE:
02/08/89

3218

Witnesses:

Aty Chapper,
officer 6th Pct

The evidence in this case will not warrant a conviction and as the nuisance is abated I recommend that the indictment be dismissed

Wm Cooper Foster
Ass't Dist Atty

April 24/92

Counsel,

Filed 8 day of July 1889

Pleads, Not guilty.

THE PEOPLE

vs.

Marie Charity B

KEEPING A HOUSE OF ILL FAME, Etc.
[Sections 322 and 385, Penal Code]

JOHN R. FELLOWS,
District Attorney.

March 25. Part 2
Indictment Dismissed

A True Bill.

J. C. Robertson
Foreman.

Aug 6/1

0078

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 2 DISTRICT.

Henry C. Hopper

of No. 15th Precinct ~~Street~~, aged 38 years,

occupation Policeman being duly sworn deposes and says

that on the 23rd day of January 188 9

at the City of New York, in the County of New York, at about the

hour of 4 o'clock P. M. deponent

was passing premises 189 West 3rd

Street, a reputed house of prostitution.

That a woman stood at an open

window in said house and called

deponent therein. That deponent

enters the house and found

three females in short dresses,

one of whom invited deponent

to her bed room for the purpose

of sexual intercourse. That deponent

~~Sworn to before me this~~

~~day of~~ 188

~~Police Justice.~~

Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated 188

Magistrate.

Officer.

Witness,

Disposition,

Some time during last
January I was called
upon to see a sick
woman at the residence
of Mrs Ellen Clements
and found her in the
"Home" for "Fallen
Women" Sick with
Puerperal Fever
and other complaints
The girl who was
with her gave her
name as Ellen Mary
Clements and
stated that her
mother was living
in Melbourne
Sworn to before me this
24th day of January 1889
W. A. Chambers
Police Justice

0080

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Marie Charley

Question. How old are you?

Answer. 31 years of age

Question. Where were you born?

Answer. France

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

Answer. 227 Sullivan St. 3 months

Question. What is your business or profession?

Answer. I keep house for my husband

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 do not keep the house at 139 West 3rd Street. If heard I demand a trial by jury

Marie Charley

Taken before me this 2 *day of* January 188 9

[illegible]

Police Justice.

Over

0081

Henry C. Hopper, the Complainant, being duly sworn and further examined by the Court says – I arrested the girl who solicited me and took her to the station house where she was bailed for her appearance at Court the next morning. I did not then arrest the defendant. She came to Court here yesterday and was arrested in Court

Sworn to before me this 25th day of January 1869

Henry C. Hopper

J. M. Patterson Police Justice

0082

Sec. 322, Penal Code.

2 District Police Court.

CITY AND COUNTY OF NEW YORK. } ss.

Henry E. Hopper

of ~~No.~~ 15th Precinct Police ~~Street~~, in said City, being duly sworn says that at the premises known as Number 139 West Third Street, in the City and County of New York, on the 23rd day of January 188 9, and on divers other days and times, between that day and the day of making this complaint

Marie Charsky, Mrs. Jane

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

Deponent therefore prays, that the said Marie Charsky

~~and all vile, disorderly and improper persons found upon the premises, occupied by said~~

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

Sworn to before me, this 24th *day of* January 188 9

Henry E. Hopper

J. M. Patterson *Police Justice.*

0083

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 She *be held to answer the same and* She *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* She *give such bail.*

Dated January 25th 188 9 J. M. Patterson *Police Justice.*

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

Dated January 25th 188 9 J. M. Patterson *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.*

0084

BAILED.

No. 1, by Elizabeth Cullizan

Residence 520 East 13th Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

No. 145

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry C. Hopper
vs.
Marie Charky
2
3
4

Offence Keeping a Disorderly House

Dated January 24th 188 9

Pattison Magistrate.

Hopper Officer.

15 Precinct.

Witnesses

No. C. L. Olney 25 Street.

No. Wm Rose Street.

No. 506 Sixth Ave Street.

$ 500. to answer G. S.

Bailed

15 Ward

RECEIVED JAN 28 1889 DETECTIVE BUREAU

0085

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Marie Charsky

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

— Marie Charsky —

(Sec, 322, Penal Code.) of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL-FAME, committed as follows:

The said Marie Charsky —

late of the 15th Ward of the City of New York, in the County of New York aforesaid, on the twenty-third day of January in the year of our Lord one thousand eight hundred and eighty-nine, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said Marie Charsky —

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

— Marie Charsky —

(Section 385, Penal Code.) of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said Marie Charsky

late of the Ward, City and County aforesaid, afterwards, to wit: on the twenty-third day of January — in the year of our Lord one thousand eight hundred

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

THIRD COUNT—

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

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

The said Marie Charky

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

JOHN R. FELLOWS,

District Attorney.

0087

BOX:
341
FOLDER:
3218
DESCRIPTION:
Clark, George
DATE:
02/14/89

3218

0088

BOX:
341
FOLDER:
3218
DESCRIPTION:
Young, George
DATE:
02/14/89

3218

Witnesses;

Barbara Sneider,
Lizzie Spath,

99

Counsel,

Filed 14 day of Febry 1889

Pleads, Not guilty

THE PEOPLE

28 Montreal Murder

P.
George Clark
and
P.
George Young

Grand Larceny, Second Degree.
(From the Person.)
[Sections 528, 53 / — Penal Code].

JOHN R. FELLOWS,
District Attorney.

Febry. 26/89
March 7 - Part 3
" 13 Part 3

A True Bill.

Mar 8 89
M. Keir F.S.

J. Robertson
Foreman.

Offices
Part III March 5/89.
Not 2. Tried and Acquitted
No 1. Part III March 7/89.
Pleads Petit Larceny
8

0090

Police Court— 3rd District.

Affidavit—Larceny.

City and County of New York, } ss.:

Barbara Snyder

of No. 193 Bedford Ave. Brooklyn ~~Street~~, aged 29 years, occupation Housekeeper being duly sworn deposes and says, that on the 3rd day of February 1889 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession ~~of~~ and persons of deponent, in the day time, the following property viz:

Good and lawful money Consisting of a one dollar bill and two Silver quarter dollars and a number of Copper Coins, said money being in all of the value of One dollar and fifty-three Cents

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was felonionsly taken, stolen, and carried away by George Clark and George Young, both now here, for the reasons following, to wit: That deponent then stood on the sidewalk in Willett Street looking at a funeral. That said Young was then in a pocket-book which pocket book was in a hand satchel which satchel deponent held in her right hand.
That Lizzie Smith, her present, then and there said to this deponent close your satchel and deponent then discovered

Sworn to before me this _____ day of _____ 188_

Police Justice.

that said satchel had been opened and said pocket-book and contents stolen therefrom. That said Lizzie Spark then informed deponent that she, Lizzie, ~~xxxx~~ saw the defendant Clark open said satchel and insert his hand therein, and then say to the defendant Young "Come along". That ~~[illegible]~~ said Lizzie further informs deponent that when she notified deponent that her satchel was open the said Young said to her Lizzie, "mind your own business," and that both of said defendants went away from where deponent stood in company together. That officer Fleming, now here, informs deponent that he arrested said defendants in company together while conversing with each other

Lissbron Schneider

Sworn to before me
this 4th day of January 1889

J M Patterson 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 ______ 188 ______ Police Justice.

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

Dated ______ 188 ______ Police Justice.

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

Dated ______ 188 ______ Police Justice.

Police Court, ______ District.

THE PEOPLE, &c.,
on the complaint of
______
vs.
1 ______
2 ______
3 ______
4 ______

Offence—LARCENY.

Dated ______ 188
______ Magistrate.
______ Officer.
______ Clerk.

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

0092

CITY AND COUNTY
OF NEW YORK, } ss.

Lizzie Spratt

aged 24 years, occupation Housekeeper of No. 1192 Willett Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Barbara Snyder and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Lizzie Spratt

Sworn to before me, this 14th *day of* January 188 9

M O'Sullivan

Police Justice.

0093

CITY AND COUNTY
OF NEW YORK, } ss.

James J. Fleming

aged 47 years, occupation Policeman of ~~No.~~ 13th Precinct ~~Street~~, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Barbara Snyder and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 4th *day of* February 188 9 } James J. Fleming

J. D. McCutcheon
Police Justice.

0094

Sec. 193—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. George Clark

Question. How old are you?

Answer. 38 years of age

Question. Where were you born?

Answer. Ireland

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

Answer. Rapid Transit Home, Bronx 3 weeks

Question. What is your business or profession?

Answer. Iron moulder

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

George Clark

Taken before me this 4 *day of* February 188 9

John Leach

Police Justice.

0095

Sec. 193—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. George Young

Question. How old are you?

Answer. 30 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. 315 First St. one month

Question. What is your business or profession?

Answer. Clerk

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

George ~~Clark~~ Young

Taken before me this 4 *day of* January *188*9

[illegible] *Police Justice.*

0096

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 George Clark and George Gam

guilty thereof, I order that he *be held to answer the same and* he *be admitted to bail in the sum of* Fifteen *Hundred Dollars,* 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 Tuesday *188*9 J. M. Crawford *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.*

0097

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street

324 3-cu 201

Police Court--- 3 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Barbara Sanzeder
193 Bedford Ave
Brooklyn
George Clark
George Young
3 .....
4 .....

Offence Larceny from person

Dated January 14 1889

Patterson Magistrate.

J. Fleming Officer.

13 Precinct.

Witnesses James J. Fleming

No. 13 Precinct Street.

Lizzie Spark

No. 1192 Willett Street.

No. 62 Park Street.

$ 2,000 to answer.

$1500. each Ans.
Gen. Sess. Cond

FEB 7 1889

0098

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
George Clark and George Young

The Grand Jury of the City and County of New York, by this indictment, accuse George Clark and George Young — of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said George Clark and George Young, both — late of the City of New York, in the County of New York aforesaid, on the third day of February in the year of our Lord one thousand eight hundred and eighty-nine, in the day — time of the said day, at the City and County aforesaid, with force and arms,

one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination and value of one dollars ——; one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of one dollars ——; one United States Silver Certificate of the denomination and value of one dollar ——; one United States Gold Certificate of the denomination and value of one dollar ——;

two silver coins of the kind commonly called quarter dollars, and of the value of twenty-five cents each, and three copper coins of the kind commonly called cents, and of the value of one cent each

of the goods, chattels and personal property of one Barbara Snyder on the person of the said Barbara Snyder — then and there being found, from the person of the said Barbara Snyder then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Fellows,
District Attorney.

0099

BOX:
341
FOLDER:
3218

DESCRIPTION:
Clarke, Harry

DATE:
02/06/89

3218

#10 Not

Witnesses;

Chas Adams

aff J. Bradly

11th Prct

Deft pleads

Character good

Much received

Counsel,

Filed 6 day of Feby 1889

Pleads, Not guilty

THE PEOPLE

vs.

183 Bowery

Manhattan

Harry Clarke

Grand Larceny, First Degree.

(From the Person.)

[Sections 528, 530, S.S.O. Penal Code].

JOHN R. FELLOWS,

District Attorney.

Mch 8/89

Bail cont

A True Bill.

Feb 15/89

J. C. Robertson

Foreman.

Feb 19

Pet III March 7/89

Feb 28 Pleads Not Guilty.

Feb. 26/89 MD.

Have personal service upon Lane &

0101

Police Court— 3rd " District.

Affidavit—Larceny.

City and County of New York, } ss.:

Charles Adams

of No. 19 Great Jones Street, aged 39 years, occupation Actor being duly sworn deposes and says, that on the 26 day of December 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession and person of deponent, in the night time, the following property viz:

one gold Watch and gold Chain attached of the Value of Sixty 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 Harry Clark (Bowery

From the fact that on Morning of the 26th day of December, between the hours of 5 & 6 o'clock deponent was in the Bowery when deponent had said Watch & Chain in the left hand pocket of the vest then worn upon his person, deponent is informed by Frederick J. Lane of No. 19 Great Jones Street that he saw said defendant having hold of deponent, deponent at the time being intoxicated and that immediately thereafter deponent missed said property, deponent is further informed by said Lane that he saw said Chain

Sworn to before me this day of 188

Police Justice.

0102

in the possession of said defendant on the 27th day of December 1888.
Deponent is informed by James Brady of the 11th Precinct Police that he arrested said defendant and found in his possession a pawn ticket representing a watch. Deponent went to the pawnshop and then and there identifies said watch represented by said ticket as the property stolen from deponent, as aforesaid

Sworn to before me this 28th day of December 1888 } Charles Adams
John J Gorman
Police Justice

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.

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

Dated ______ 188 ______ 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.

Police Court, ______ District.

THE PEOPLE, &c.,
on the complaint of

vs.

1. ______
2. ______
3. ______
4. ______

Offence—LARCENY.

Dated ______ 188
______ Magistrate.
______ Officer.
______ Clerk.

Witnesses, ______
No. ______ Street.
No. ______ Street.
No. ______ Street.

$ ______ to answer ______ Sessions.

0103

CITY AND COUNTY OF NEW YORK, } ss.

Edward D. Lane

aged 24 years, occupation Actor of No. 19 West Jones Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Charles Adams and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 28 *day of* December 188[illegible]

Fred. J. Lane

John J. Kipman

Police Justice.

0104

Sec. 198—200.

Ge District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Harry Clark 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. Harry Clark

Question. How old are you?

Answer. 27 years

Question. Where were you born?

Answer. England

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

Answer. 183 Bowery 5 or 6 months

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 I bought the Picks and Chisels from a man for one dollar & 25 cents

Harry Clarke

Taken before me this 9th *day of* Aug 188 8

Thos Gleason Police Justice.

0105

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 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 Dec 28 188 8 John Thomas *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.*

0 106

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court--- 3 2008 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Chosen Adams

vs. 19 Great Jones St

1 Harry Clark

2 .....

3 .....

4 .....

Offence Larceny Burglarious

Dated Dec 28 188

Goodman Magistrate.

Jas P Brady Officer.

11 Precinct.

Witnesses Saw offer with Match

No. Fredrick & Lane Street.

No. 19 Great Jones Street.

No. Augustus Street.

$ 700 to answer G S

Cam

G.S. Dec

0107

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Harry Clarke

The Grand Jury of the City and County of New York, by this indictment, accuse Harry Clarke of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said Harry Clarke

late of the City of New York, in the County of New York aforesaid, on the twenty-sixth day of December in the year of our Lord one thousand eight hundred and eighty-eight, in the night time of the said day, at the City and County aforesaid, with force and arms,

one watch of the value of thirty dollars, and one chain of the value of thirty dollars

of the goods, chattels and personal property of one Charles Adams on the person of the said Charles Adams then and there being found, from the person of the said Charles Adams 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.

0108

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said Harry Clarke of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said Harry Clarke 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,

one watch of the value of thirty dollars, and one chain of the value of thirty dollars,

of the goods, chattels and personal property of one Charles Adams by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said Charles Adams unlawfully and unjustly, did feloniously receive and have; the said Harry Clarke then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0109

BOX:
341
FOLDER:
3218
DESCRIPTION:
Cleary, Edward
DATE:
02/12/89

3218

0110

BOX:
341
FOLDER:
3218
DESCRIPTION:
Tierney, John
DATE:
02/12/89

3218

Witnesses:

Amy E Robineau

F Baum

offr Fritzinons

64

J J Walsh Esq

Counsel,

Filed 12 day of Feby 1889

Pleads, Not guilty.

THE PEOPLE

vs.

19 Livingston mechanics.

Edward Cleary P

20 Livingston laborer

John Tierney P

Burglary in the THIRD DEGREE
Grand Larceny in the
(Section 498, 506, 528, 528 / 155)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

J C Robertson

Foreman.

Part III February 14/89

Bobb Plead Receiving Stolen Goods.

Feby 15/89 No. 1 S. P. 2 yrs.

" 2 S. P. 2 yrs. 9 mo

BM, 5

T.

0112

CITY AND COUNTY
OF NEW YORK, } ss.

Jacob Baum

aged 33 years, occupation Second hand dealer of No. 18 Clinton Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Ann Elizabeth Robinson and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 7 P
day of January 188 9

Jacob Baum

Police Justice.

0113

CITY AND COUNTY
OF NEW YORK, } ss.

Alexander McCarthy

aged 45 years, occupation Clerk of No. 65th St. N.Y.

Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Ann Elizabeth Robinson and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 28
day of January 188 } Alexander McCarthy

Police Justice.

0114

CITY AND COUNTY
OF NEW YORK, } ss.

Lawrence B. Fitzsimmons

~~aged~~ ~~years,~~ occupation Police Officer of No. 29 Greenwich ~~Street~~, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Ann Elizabeth Robineau and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 28 *day of* January 188 9 } Lawrence B. Fitzsimmons

Police Justice.

0115

Police Court—5 District.

City and County of New York, } ss.:

Ann Elizabeth Robinson

of No. 1850 9th Avenue ~~Street~~, aged 35 years, occupation Married, being duly sworn deposes and says, that the premises ~~No.~~ on top floor of 550 9th ~~Street~~, 12th Ward in the City and County aforesaid the said being a dwelling

and which was occupied by deponent as a dwelling

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

were BURGLARIOUSLY entered by means of forcibly breaking and cutting out a window sash in a window leading from an open closet into the dining room of deponents premises

on the 18th day of January 188 9 in the day time, and the following property feloniously taken, stolen, and carried away, viz:

One seal plush cloak, one gold bracelet one gold ~~[illegible]~~ pencil, one pair of opera glasses, one gentlemen's clock one oxydized silver cigarette and one umbrella altogether of the value of Fifty dollars

the property of deponents daughter but in deponents 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

Edward Cleary & John Tierney

for the reasons following, to wit: that on said date said premises were broken, entered and robbed as described, and subsequently deponent was informed by Officer Laurence B. Fitzsimmons of the 2nd Precinct that he arrested the defendants for the reason that he was informed by a citizen that they committed the theft, that deponent is further informed by Alexander McCarthy of 65 7th Street

Police Court, _____ District.

THE PEOPLE, &c.,
on the complaint of

vs.

1 .....
2 .....
3 .....
4 .....

Offence—BURGLARY.

Dated 188

..... *Magistrate.*

..... *Officer.*

..... *Clerk.*

Witnesses, _____

No. ..... *Street,*

No. ..... *Street,*

No. ..... *Street,*

$ ..... *to answer General Sessions.*

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

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

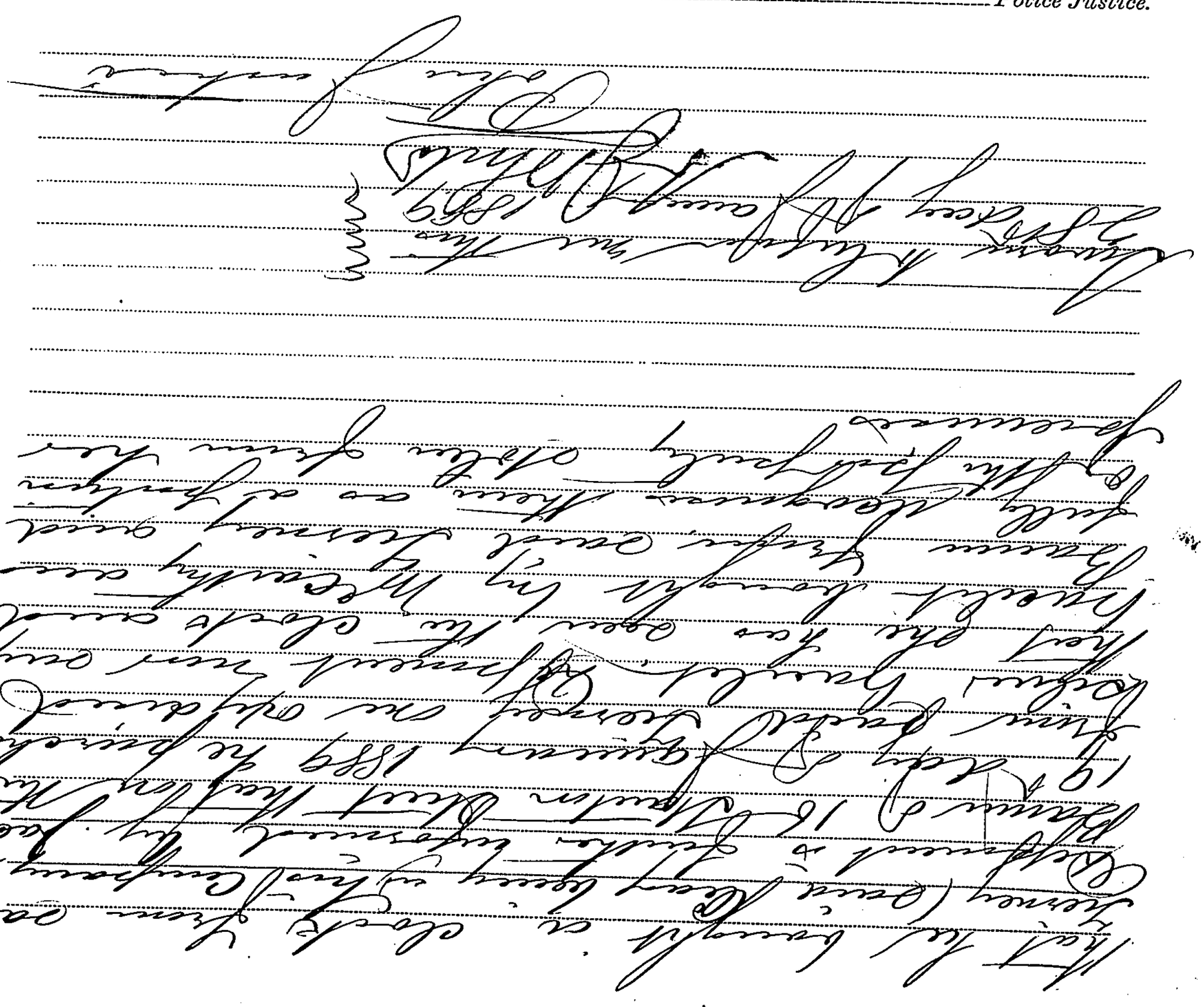
Dated _____ 188 . _____ *Police Justice.*

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

Dated _____ 188 . _____ *Police Justice.*

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

Dated _____ 188 . _____ *Police Justice.*



0117

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss.

John Tierney ..... District Police Court.

John Tierney ..... 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. John Tierney

Question. How old are you?

Answer. 20 years

Question. Where were you born?

Answer. US

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

Answer. 4 Rivington st. 6 weeks

Question. What is your business or profession?

Answer. Ice

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
John Tierney

Taken before me this 28 *day of* May 188 9

Police Justice.

0118

Sec. 198—200.

5 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Edward Cleary 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 Cleary

Question. How old are you?

Answer. 18 years

Question. Where were you born?

Answer. US

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

Answer. 4 Rivington Street. 3 mos.

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

Edward Cleary.

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

[illegible] *Police Justice.*

0119

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 they be held to answer the same and they be admitted to bail in the sum of Fifteen *Hundred Dollars,* each *and be committed to the Warden and Keeper of the City Prison, of the City of New York, until they give such bail.*

Dated January 7 188 *Police Justice.*

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 188 *Police Justice.*

There being no sufficient cause to believe the within named

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

Dated 188 *Police Justice.*

0 120

157

Police Court--- 5 **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Ann Elizabeth Rabman

vs.

Edward Ceary

John Werner

3.

4.

Offence Burglary

Dated Jan 28 1889

White Magistrate.

Fitzsimmons Officer.

29 Precinct.

Witnesses Alex McCarthy

No. 65 7 Ave Street

Jacob Baum

No. 16 Stanton Street.

No. Street.

$ 15000 to answer

BAILED,

No. 1, *by*

Residence *Street.*

No. 2, *by*

Residence *Street.*

No. 3, *by*

Residence *Street.*

No. 4, *by*

Residence *Street.*

Am Burg 3 Dt
9 L 2
Recv 9

0121

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 Cleary
and
John Tierney

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

Edward Cleary and John Tierney

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

The said Edward Cleary and John Tierney, both late of the Twelfth Ward of the City of New York, in the County of New York aforesaid, on the eighteenth day of January in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, in the day time of the same day, at the Ward, City and County aforesaid, the dwelling house of one Ann E. Rabineau

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: ~~with intent~~ the goods, chattels and personal property of the said Ann E. Rabineau 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.

0122

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said Edward Cleary and John Tierney of the CRIME OF Grand LARCENY in the second degree, committed as follows: The said Edward Cleary and John Tierney, 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 said day, with force and arms,

one cloak of the value of twenty-five dollars, one bracelet of the value of five dollars, one hood of the value of five dollars, one pair of opera glasses of the value of five dollars, one clock of the value of five dollars, one other bracelet of the value of three dollars and one umbrella of the value of seven dollars

of the goods, chattels, and personal property of one Ann E. Rabineau in the dwelling house of the said Ann E. Rabineau there situate, then and there being found, from the dwelling house 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.

0123

THIRD COUNT.

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said Edward Cleary and John Turney of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said Edward Cleary and John Turney both late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid, one cloak of the value of twenty-five dollars, one traveler of the value of five dollars, one pencil of the value of five dollars, one pair of opera glasses of the value of five dollars, one clock of the value of five dollars, one other traveler of the value of three dollars, and one umbrella of the value of seven dollars of the goods, chattels and personal property of Ann E. Rabineau by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said Ann E. Rabineau unlawfully and unjustly, did feloniously receive and have; (the said Edward Cleary and John Turney then and there well knowing the said goods, chattels and personal property to have been feloniously stolen), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0124

BOX:
341
FOLDER:
3218
DESCRIPTION:
Cleary, John
DATE:
02/28/89

3218

Witnesses;

John Posnett

Left a deposition
Counsel see his
Record within
FL

285

Counsel,

Filed 28 day of Feby 188 9

Pleads, Not guilty - Mch 11

THE PEOPLE

vs.

33
750-11-one
costumes

John Cleary

Burglary in the sixth degree.
Grand Larceny
Burglary in the second degree.
[Section 496, 506, 528, 532, 55 P.

JOHN R. FELLOWS,

District Attorney.

10 A.M. J.P. FL
Mch 8 89.

A True Bill.

J. Robertson

Foreman.

Part III March 7/89
Pleads - Burglary 2d deg

0126

– John. Carey –
arrested Nov. 9th 1881 By –
Officer Buckley for. Burglary –
Sentenced by Recorder. Smythe
to 5 Years. State Prison on
Jan 9th 1882. –

Arrested March 23 – 1886 –
Burglary – Sentenced
to 2 1/2 Years by –
Recorder Smythe –
Officer McFinley
Sentenced to 6 months
in Penitentiary at the
Special Sessions for
Larceny. of Horse Blankets
By.
Officer Walsh
all of the above named
officers are and were
attached to the 20th Prct

W. F. O'Neill
Patrolman
20th Prct

0127

Police Court—2 District.

City and County of New York, } ss.:

John Posnett

of ~~No.~~ Canal boat J. H. Scott ~~Street~~, aged 56 years, occupation Captain J. H. Scott being duly sworn deposes and says, that the ~~premises No~~ Canal boat J. H. Scott ~~Street,~~ in the City and County aforesaid, the said being a Canal boat which was lying in the North river at the foot of West 24th Street and which was occupied by deponent as a place of dwelling and in which there was at the time a human being, by name John Posnett

were BURGLARIOUSLY entered by means of forcibly breaking the window in the Cabin of said Canal boat.

on the 17th day of February 1889 in the Night time, and the following property feloniously taken, stolen, and carried away, viz:

One silk handkerchief. one pair of gloves one pair of mittens. one pocket book. a lot of clothing. a lot of bedding and a quantity of brass jewelry together of the value of one hundred dollars.

$100.00

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 John Cleary and Cornelius O'Neill (both new hands)

for the reasons following, to wit: that at the hour of 2 O'clock A.M. said date deponent heard some body trying to force an entrance into the cabin of said canal boat. and on looking out of the window deponent saw a man standing on the dock at the foot of West 24th st. who deponent identifies as the defendant O'Neill. and saw another man on the deck of the canal boat. deponent ran out for the purpose of getting a policeman

0128

deponent found Officer William F. O'Neil of the 20th Precinct Police and returned to his boat with said officer and when deponent got on board of his boat he caught the defendant Cleary in the act of coming out of the cabin window and held him until officer O'Neil placed him under arrest. and at the same time deponent saw the defendant O'Reilly in charge of another officer. Deponent is informed by Officer O'Neil that he found a quantity of bedding clothing and other articles on a boat near deponents boat. and when he the officer searched the defendant Cleary he found on his person two pairs of gloves. some jewelry and a lot of other articles.

Deponent further says that he has since seen said property so recovered by said officer and fully identifies it as his property.

Wherefore deponent charges the said defendants with being together and acting in concert with each other and burglariously entering said canal boat as aforesaid and feloniously taking stealing and carrying away said property.

Sworn to before me this 19th day of Feb 1889

John Connett

Police Court _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Burglary ..... Degree

88

Dated _____

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of $ _____ Bail.

Bailed by _____

No. _____ Street.

0129

CITY AND COUNTY OF NEW YORK, } ss.

William F. O'Neil

aged ..... years, occupation Police Officer of No. 70th Pct Police Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of John Posnett and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 17 *day of* July 188 } Wm F O'Neil

P. A. Duffy

Police Justice.

0130

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

John Cleary 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 Cleary

Question. How old are you?

Answer. 23 years old

Question. Where were you born?

Answer. New York

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

Answer. 7 950 10th Ave 2 mos

Question. What is your business or profession?

Answer. Longshoreman

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

John Cleary

Taken before me this [illegible]

day of [illegible] 188

[illegible]

Police Justice.

01311

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Cornelius O'Reilly

Question. How old are you?

Answer. 42 years old

Question. Where were you born?

Answer. New York

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

Answer. 474 11th Ave. 2 years

Question. What is your business or profession?

Answer. Bridge Tender.

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 guilt
I am a night watchman
and Bridge tender between
33rd & 34th Street and was
on duty at the time of
my arrest

Cornelius O'Reilly

Taken before me this 19 day of Feb 188 5

Police Justice.

0132

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 Henry ~~and~~ Cornelius O'Reilly

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 Feb 17 188 9 D. F. Duffy *Police Justice.*

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

to bail to answer by the undertaking hereto annexed.

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

There being no sufficient cause to believe the within named Cornelius O'Reilly

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

Dated Feb 17 188 9 D. F. Duffy *Police Justice.*

0133

Police Court--- 2 259 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Cosnett
111. Broadway.
79. 4th South.
John Cleary Room 24
2. Cornelius O'Keilly
3.
4.

Offence Burglary

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street

Dated Feb 17 188 9
Duffy Magistrate.
Wm F. O'Neil Officer.
20 Precinct.

Witnesses. Wm F. O'Neil
No. North Pearl Pl. Street.

No. Street.
No 2 Discharged on examination

No. Street.
$ 1000 to answer

RECEIVED FEB 18 1889 OFFICE OF DISTRICT ATTORNEY'S

0134

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 Doe

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

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

The said John Doe

late of the Fourteenth Ward of the City of New York, in the County of New York aforesaid, on the twenty-fourth day of February, in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, about the hour of two o'clock in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of one John Doe

there ~~situate,~~ feloniously and burglariously did break into and enter, there being then and there some human being, to wit: the said John Doe

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

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away; the said John Doe being then and there assisted by a confederate actually present, whose name is to the Grand Jury aforesaid unknown,

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

SECOND COUNT—

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

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

The said John Freeany

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 night time of the said day, with force and arms, one hundred and fifty yards of the value of two dollars, one pair of gloves of the value of one dollar, one pair of mittens of the value of one dollar, one pocket book of the value of one dollar, divers articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of twenty dollars, a watch of the value of twenty dollars, a watch of the value of twenty dollars, a more particular description whereof is to the Grand Jury aforesaid unknown, of the value of twenty five dollars, and a watch or jewelry, a more particular description whereof is to the Grand Jury aforesaid unknown, of the value of fifteen dollars;

of the goods, chattels and personal property of one John Barnett in a certain vessel called the "J. M. Scott," lying in a canal near the Bowery and known in the maps then called the North River and known ~~in~~ the dwelling house of the said John Barnett referred to in the first count of this indictment

~~there situate~~, then and there being found, from the ~~dwelling house~~ vessel 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.

THIRD COUNT—

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

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said John Cleary,

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, with force and arms,

the goods, chattels and personal property in the second count of this indictment mentioned described,

of the goods, chattels and personal property of ~~one~~ the said John Posnett,

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said John Posnett,

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

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0137

BOX:
341
FOLDER:
3218
DESCRIPTION:
Cohen, Davis
DATE:
02/21/89

3218

Witnesses:

Sarah Ellison

affr Mullane Jany

Wm Price

The fine should not be remitted under any circumstances.

E.A.

J. O'Byrne a

Counsel,

Filed 21 day of Feby 1889

Pleads, Mynitt 25

THE PEOPLE

vs.

Davis Cohen

Grand Larceny Second degree.

[Sections 528, 531, Penal Code].

JOHN R. FELLOWS,

District Attorney.

PZ Feby 27/89

Pleads PZ

A True Bill.

Edwin Einstein

Foreman.

Wm Rentz for fine

E.A.

0139

Police Court— 3rd District.

Affidavit—Larceny.

City and County of New York, } ss.:

Sarah Ellison

of No. 89 Baxter Street, aged 22 years, occupation Housekeeper being duly sworn deposes and says, that on the 1st day of February 188 9 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 bundle containing one silk dress, one wrapper, one velvet dress, one satin dress, one woolen skirt and jersey, one sheave, three tidies and two babies' dresses and under clothing, in all of the value of One hundred (100) 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 Davis Cohen, now here, from the fact that deponent gave said Cohen said property to carry to the Jersey City ferry, fact of Cortlandt Street. That he failed to carry said property there and deliver it to deponent as directed, and has kept, retained and withheld the same from deponent with intent to defraud deponent of her property.

Sarah Ellison

Sworn to before me, this 1st day of February 188 9

Police Justice.

0140

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss.

Davis Cohen 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. Davis Cohen

Question. How old are you?

Answer. 21 Years

Question. Where were you born?

Answer. Russia

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

Answer. 239 Henry Street New York

Question. What is your business or profession?

Answer. Presser

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

his
Davis + Cohen
mark

Svrg 1100 in Country

District Police Court.

Taken before me this 12 day of October 1888

Police Justice.

0141

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 February 12 188 9 Solon B Smith *Police Justice.*

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 188 *Police Justice.*

There being no sufficient cause to believe the within named

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

Dated 188 *Police Justice.*

0142

BAILED,

No. 1, *by* .....

Residence ..... *Street.*

No. 2, *by* .....

Residence ..... *Street.*

No. 3, *by* .....

Residence ..... *Street.*

No. 4, *by* .....

Residence ..... *Street*

Police Court- 3 d 5 3 9 **District.**

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel Ellison
89 Rivington
Davis Rhein
2 .....
3 .....
4 .....

Offence Larceny
Stealing

Dated February 12 188 9
S B Smith Magistrate.
Williams Officer.
11 Precinct.
Witnesses Bertha Robenovitch
No. 67 Olivette Street.
Mr. Ruben
No. 45 Eldridge Street.
No. ..... Street.
No. ..... Street.
$ 500 to answer. G. S.

DISTRICT ATTORNEY'S OFFICE. RECEIVED FEB 14 1889

Dismissed

0143

THE PEOPLE

v.

DAVIS COHEN.

COURT OF GENERAL SESSIONS.

THE PEOPLE v. DAVIS COHEN, Indicted for Grand Larceny in the 2d degree. Indictment filed, Feb 1. 1889.	Tried February 27th, 1889, Before the Hon. Frederick Smyth and a Jury.

A P P E A R A N C E S.

Assistant District Attorney Davis, for the People.

Maurice Meyer, Esq., for the Defense.

S A R A H E L L I S O N, the complainant, testified that she lived at 89 Baxter Street, and that she was a married woman and kept house there. On the first of February, 1889, she saw the defendant and gave him a bundle of clothing to carry for her. She told him that she would meet him at 239 Henry Street, where he lived, and from there he was to carry it to the Cortlandt Street ferry. It was about ten o'clock in the morning. She saw him on the Friday morning preceding Saturday February the 1st, and he told

her that he would be there promptly on Saturday morning. She next saw him at 239 Henry Street on Saturday afternoon at one o'clock. She gave the defendant the bundle. She took the bundle to his place, according to agreement with him at about a quarter to one o'clock. She then went back to her home to get her child, and returned to Henry Street. The defendant followed her with the bundle as far as the corner ofHenry and Jefferson Streets. She the complainant was carrying her baby. At that place the defendant said that it was a very cold day and that he could walk a great deal quicker than she could. She then told him that if he walked quicker than she did he was to meet her at the corner of Grand Street and the Bowery, where they would take the car. The defendant went straight down Henry Street. At Grand Street and the Bowery she did not meet the defendant. She waited an hour for him. She went to the Cortlandt Street ferry and reached there at five minutes to two. She had told the defendant to take the bundle to the Cortlandt Street ferry, but he was not there. She waited for the defendant until the train started, at a quarter past two, but she saw neither the defendant nor her bundle. She went to Baltimore and she wrote a letter to the defendant asking him about her bundle. She waited two or three days and got no

answer, and returned to this city and saw the defendant. He said that he had received her letter, and that he had left the bundle of clothes up in Eldridge Street, and the people there had refused to return them. He told her that she could go up there with him, and when they got there there was a crowd of people and they began to fight with the defendant. The defendant pointed out the man of the house as the person he left the bundle with. Then the defendant got afraid and left the house. She, the complainant, did not see her clothes at the house. She then told the defendant that he must recover her clothing for her, but he said that he could not, because the people of the house where he left the bundle demanded five dollars of him before they would return the bundle. He said that he had no money and could not give them any money. The bundle contained a black silk suit and a cloth wrapper, worth, altogether, about fifty dollars; a velvet suit, worth twenty dollars; a satin suit, worth fifteen dollars; a summer jacket and a calico wrapper. The jacket and the wrapper were worth about five dollars. There were also two silver spoons, worth about fifteen dollars. There were also some babies' clothes, worth about three dollars. There were also two

feather pillows, worth, altogether, about seven dollars and a half. She afterwards saw the two pillows in Chrystie Street. They were in the possession of the sister-in-law of the man who kept the house at 45 Eldridge Street--Bertha Robenovitz. She saw them on the 12th of February, when the defendant was arrested. She did not recover the pillows; they were still in Mrs. R.'s house. She, the complainant was a married woman, supported by her husband, who was a tailor. She had three children, the youngest being a baby. She was going to Baltimore on a visit to a friend. She had known the defendant through her husband, who used to get him work. Her friend lived at 1010 Hartford Avenue, Baltimore. This address was on the cover of the bundle, and she also gave it to the defendant on a piece of paper.

Under Cross examination, she testified that her husband was not going to Baltimore with her. He was engaged at his work at 415 Grand Street on that day. He was in court. She never told the defendant that he could sell the pillows.

B E R T H A R O B E N O V I T Z, testified that she lived at 69 Chrystie Street, and that she knew the defendant. She had known him about a year. She bought

some pillows from him in February. The defendant brought them to her house in Chrystie Street. He asked her if she wanted to buy pillows and she said that she did, and he asked eight dollars for them, and took four dollars and seventy-five cents. They were wrapped up in a white cloth. Mrs. Ellison afterwards identified the pillows that she, the witness, bought from the defendant. She, the witness, had the pillows still.

Under Cross examination, she testified that there were two persons in the room when she bought the pillows besides the defendant and herself. These persons were named Blumenthal and Schrollick. These witnesses were in court. The defendant told her that they were his pillows.

O F F I C E R J A M E S M U L L A N E testified that he belonged to the 11th precinct, and that he was a special officer in that precinct. He arrested the defendant on the 12th of February in a shop in Henry Street, where the defendant was working. The defendant could not speak English, and Mrs. Ellison, the complainant, who had accompanied him, the witness, interpreted. The defendant said that he left the bundle at 45 Eldridge Street. At 45 Eldridge Street the defendant pointed out a man that he

claimed he had given the bundle to. He, the witness, locked this man up, but he was discharged in the Essex Market Court. The defendant was held there. In the Essex Market Police Court the defendant said, through the official interpreter, that he left the bundle with Ruben Lowinsky, of 45 Eldridge Street.

Under cross examination, the witness testified that he went to Mrs. Robenovitz because he knew that she was a sister-in-law of Lowinsky, who, the defendant claimed, had received the bundle. Lowinsky had since run away from his wife. The complainant told him, the officer, that Lowinsky had three sisters-in-law. Lowinsky had run away after his discharge in the Essex Market court, where he was arraigned upon a charge of receiving stolen goods.

For the Defense, D A V I S C O H E N testified, through the official interpreter, that he had been in the United States about nine months. The complainant gave him the bundle to carry. In the street a man met him, and he went with the man to 45 Eldridge Street. The man was Ruben Lowinsky, or Ruben Lischka--he did not know his name exactly. When they got to Lowinsky's rooms he asked Lowinsky if he could leave the bundle there until the fol-

lowing morning, and he left the bundle. When he, the defendant, came for the bundle again, Lowinsky said that he didn't have it. He did not sell pillows to Mrs. Robenovitz. There were no pillows in the bundle, to his knowledge. He told Lowinsky, when he left the bundle there, that a woman had given it to him to carry, and had lost her in the street, and did not know where to find her, and didn't know who she was.

Under Cross examination, he testified that he did not take the bundle back to Mrs. Ellison's house, after he had lost her in the street, because he did not know where she lived, but he did know where her husband lived. He did not open the bundle. It was partly open, and he saw that there were no pillows in it.

0151

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Davis Cohen

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

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

The said Davis Cohen

late of the City of New York, in the County of New York aforesaid, on the first day of February in the year of our Lord one thousand eighty hundred and eighty-nine, at the City and County aforesaid, with force and arms, one dress of the value of twenty-five dollars, one wrapper of the value of five dollars, one other dress of the value of thirty-dollars, one other dress of the value of twenty-five dollars, one skirt of the value of two dollars, one jersey of the value of three dollars, one shawl of the value of five dollars, three ties of the value of one dollar each two other dresses of the value of one dollar each, and divers articles of clothing and wearing apparel of the value of [illegible] dollars a more particular description whereof is to the Grand Jury aforesaid unknown, of the goods, chattels and personal property of one Sarah Ellison

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

John R. Fellows
District Attorney