

BOX:

46

FOLDER:

536

DESCRIPTION:

Barnes, George W.

DATE:

09/19/81



536

*W. H. Phelps*

Counsel, *Sanborn*  
Filed *19* day of *Sept* 1881  
Pleads *Not guilty (2)*

THE PEOPLE

vs.

*George W. Badie*

INDICTMENT.  
*Larceny from the person*

DANIEL C. ROLLINS,  
BENJ. K. PHELPS,

District Attorney.

A True Bill.

*W. H. Phelps* Foreman.  
*Oct 5. 1881.*

*I swear guilty*  
*S. H. Campbell & Co*

*W. H. Phelps:*  
*Thomas W. Wainman*

H *th*

District Police Court—

CITY AND COUNTY }  
OF NEW YORK } ss.

of No. *888 Tenth Avenue, Manhattan, Que 55*  
being duly sworn, depose and saith, that on the *19* day of *September* 187*8* at the *19* Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, *and from deponents person.*

the following property viz.:

*One gold hunting Case watch  
of the value of One hundred  
and fifty Dollars*

Sworn before me this

day of

the property of *deponent*

Power Justice.

187

has a probable cause to suspect and does suspect, that the said property was feloniously taken,  
stolen and carried away by *George W. Barnes,*

*now here, for the reason that  
about the hour of 5 o'clock P.M.  
of said day deponent was in Jones  
Woods witnessing the Scotch Games,  
and said watch was then and  
there contained in the left side  
pocket of the vest then worn  
upon deponents person and was  
fastened to said vest by a chain.*

That said Barnes stood at deponent's side and pressed against deponent and placed his hands round the body of deponent and deponent then felt his watch being abstracted from said pocket and deponent instantly seized hold of him, <sup>Barnes</sup> and at the same moment saw him <sup>Barnes</sup> pass said watch to another man who stood close beside him. That deponent retained hold of said Barnes and said other man walked quickly away and was lost in the crowd.

Sworn to before me this } Thomas Williamson  
2<sup>d</sup> day of September 1861 }

J. M. Patterson } Police Justice

DISTRICT POLICE COURT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

VS.

AFFIDAVIT—Larceny.

DATED

187

MAGISTRATE.

OFFICER.

WITNESSES:

CITY AND COUNTY }  
OF NEW YORK, } ss.*George W. Barnes*

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 W. Barnes*

Question. How old are you?

Answer.

*Twenty three years of age*

Question. Where were you born?

Answer.

*Louisville, Kentucky*

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

Answer.

*Louisville Kentucky, 22 years.*

Question. What is your business or profession?

Answer.

*Wire-worker*

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

Answer.

*I am not guilty and I  
waive further examination  
here**Geo. W. Barnes.*

Taken before me, this

*24*

day of

*September* 188*8**J. M. Pacione*

Police Justice.

Police Court *H* District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Mrs. Williamson*  
*888 1/2 Ave*

*Geo. W. Barnes*

Offence, *Grand Larceny*  
*from person*

1  
2  
3  
4

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated

*September 2*

188

*Patterson* Magistrate.

*Ernstley 22* Officer.

*Met* Clerk.

Witnesses

*Michael Cronley*  
*22 Main St* Street.

No.

Street.

No.

Street.

*1500 Ave B*

*Conrad*

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 W. Barnes*

guilty thereof, I order that he be admitted to bail in the sum of *fifteen* Hundred Dollars *1500* and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated *September 2* 188

*J. M. Patterson* Police Justice.

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 188

Police Justice.

There being no sufficient cause to believe the within named

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

Dated 188

Police Justice.

848  
Police Court *H* District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Mrs. Williamson*  
*888 10th Ave*

*Geo. W. Owens*

BAILED,

No. 1, by

Residence

Street,

No. 2, by

Residence

Street,

No. 3, by

Residence

Street,

No. 4, by

Residence

Street,

Dated *September 2* 18*88*

*Patterson* Magistrate.

*Crowley* 22 " Officer.

*McCl* Clerk.

Witnesses *Michael Crowley*

*22 Main St. Police* Street.

Street,

No.

Street.

No.

*\$1500. Am. G. L.*  
*Cond*

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 W. Owens*

guilty thereof, I order that he be admitted to bail in the sum of *Eight* Hundred Dollars *1000* and be committed to the Warden or Keeper of the City Prison until he give such bail.

*Sept 2 1888*  
*J. M. Patterson*  
Police Justice.

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 188

Police Justice.

There being no sufficient cause to believe the within named

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

Police Justice.

Dated 188

Court of General Sessions of the Peace of  
the City and County of New York.

THE PEOPLE OF THE STATE OF  
NEW YORK,

*George W. Barnes*  
<sup>Against</sup>

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

*George W. Barnes*  
of the crime of *Larceny (from*  
*the person)*  
committed as follows:  
The said *George W. Barnes*

late of the First Ward of the City of New York, in the County of New York, aforesaid,

on the *first* day of *September* in the year of our Lord one  
thousand eight hundred and eighty *one* at the Ward, City, and County aforesaid,  
with force and arms,

*One watch of the value of one  
hundred and fifty dollars*

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

DANIEL C. ROLLINS,  
BENJ. K. PHELPS, District Attorney.

BOX:

46

FOLDER:

536

DESCRIPTION:

Benson, Sarah

DATE:

09/28/81



536

Counsel,  
Filed 28 day of Sept 1887  
Pleads *Wm. H. H. H.*

THE PEOPLE  
vs.  
30. 9 24  
324 9 24  
INDICTMENT.  
LARCENY.

*Witness:*  
*James G. Lindsey;*  
*Off. Carr & Dunning;*

*P.*  
*Sarah Benson*

*Benson*  
DANIEL C. ROLLINS,  
BENJ. K. PHELPS,

*District Attorney.*  
*and two Sept 29, 1887*  
*McCado. J. L.*  
A True Bill.

*J. Carter Jr.*  
Foreman.

*Ben Gmms.*  
*J. J.*

District Police Court—

CITY AND COUNTY }  
OF NEW YORK, } ss.

of No. *394, 2 Avenue* Street,  
being duly sworn, depose and saith, that on the

*James Findley*

*4* day of *September* 18*87*,  
Ward of the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent,

the following property viz.:

*One Silver watch and chain  
attached thereto both of the value  
of Forty five Dollars.*

the property of

*Deponent.*

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by *Sarah Benson. now present.*

*That the watch was hanging on the  
head board of the bedstead in his room.  
when he went to bed with her, and  
in the morning night said defendant  
left taking the watch and chain with  
her. That she subsequently admitted  
stealing said watch.*

*James Findley*

Sworn before me this *18* day of *Sept* 18*87*  
*James Findley*  
POLICE JUSTICE.

DISTRICT POLICE COURT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

VS.

AFFIDAVIT—Larceny.

DATED

187

MAGISTRATE.

OFFICER.

*Callenger.* 18.

WITNESSES:

*5000*

*Ex 20th 2 p.m.*

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Sarah Benson* 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. *Sarah Benson*

Question. How old are you?

Answer. *Twenty nine years.*

Question. Where were you born?

Answer. *Canada.*

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

Answer. *In 29 St. 324. last for two weeks.*

Question. What is your business or profession?

Answer. *Domestic.*

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

Answer. *I am not guilty of the charge*  
*I took it in front payment.*  
*They promised to pay me for the*  
*use of my body and I didn't*  
*do so, and another thing, he*  
*didn't tell me there was*  
*another man there.*

Taken before me, this *18<sup>th</sup>*  
day of *September* 188*8*

*Sarah J. Benson*

*W. M. M. M. M. M.* Police Justice.

Police Court--*24*<sup>th</sup> District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

*James Lindley*  
*394 2nd Ave.*

*Sarah Benson*

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

Offence, *Grand Larceny*  
Dated *September 20<sup>th</sup> 1881*  
*B. C. Mandell* Magistrate.  
*Buttinger* 18<sup>th</sup> Precinct.  
Clerk.

Witnesses .  
No. \_\_\_\_\_ Street,  
No. \_\_\_\_\_ Street,  
No. \_\_\_\_\_ Street.

*For In Custody*  
*Corn*

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

*Field & answer and*  
guilty thereof, I order that he be admitted to bail in the sum of *Twenty* Hundred Dollars and be com-

mitted to the Warden or Keeper of the City Prison until he give such bail.  
Dated *September 20<sup>th</sup> 1881*  
*Wm. M. G.* Police Justice.

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

Dated \_\_\_\_\_ 1881  
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 \_\_\_\_\_ 1881  
Police Justice.

0096

BAILED,

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

Sec. 208, 209, 210 & 212.

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

THE PEOPLE, &c.  
ON THE COMPLAINT OF

*James Lindley*  
394 2<sup>nd</sup> Ave

*Sarah Benson*

Offence, *Grand Larceny*

Dated *September 20<sup>th</sup> 1881*

*H. G. Mandell* Magistrate.

*Buttinger* 18<sup>th</sup> St. Clerk.

Witnesses \_\_\_\_\_

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

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

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

*James Lindley*  
*Con*

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 *Sarah Benson*

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

Dated *September 20<sup>th</sup> 1881* *H. G. Mandell* 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.

Court of General Sessions ~~of the Peace~~ of  
the City and County of New York.

THE PEOPLE OF THE STATE OF  
NEW YORK,

*Sarah Beinson*<sup>against</sup>  
The Grand Jury of the City and County of New York by this indictment accuse

*Sarah Beinson*  
of the crime of *Larceny*  
committed as follows:

The said *Sarah Beinson*

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

*One watch of the value of thirty dollars*  
*One chain of the value of fifteen dollars*

of the goods, chattels, and personal property of one *James Fudley*

then and  
there being found, 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.

DANIEL C ROLLINS,

~~BENJ. K. PHELPS~~, District Attorney.

BOX:

46

FOLDER:

536

DESCRIPTION:

Benz, John

DATE:

09/16/81



536

Witness:  
William Kampfen:

Counsel,  
Filed 16 day of Sept 1881  
Pleads ~~John Beng~~

THE PEOPLE

vs.

John Beng

Daniel S. Rollins,  
BENEFICIARY

District Attorney.

INDICTMENT.  
Larceny of Money, &c., from the person  
in the night time.

A True Bill.

W. J. Upman Foreman  
Sept 19. 1881  
Pleads G.P.  
S.P. 5 years.

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

Police Court--Second District.

William Kemppew  
of No 414 West 39th Street, being duly sworn, deposes  
and says, that on the 4th day of September 1887  
at the City of New York in the County of New York, was feloniously taken, stolen and carried  
away, from the possession of deponent, ~~and the person~~ in the night time

the following property, to wit: one watch and divers bills of divers  
denominations, and values in good and lawful money  
Currency of the United States Government, of the  
amount of sixty dollars. All of the  
value

of the value of sixty four Dollars,  
the property of this 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 Bentz (nowhere)~~ <sup>Beutz</sup>

for the reason that at or about ten o'clock P.M.  
of the 4th instant at his premises, 414 West  
39th Street, deponent was approached by the  
accused in the hallway and placing his arms  
around the body of deponent took therefrom the  
watch and money, that deponent has recognized  
the watch here shown and identified as his property  
from Joseph Alt who informs this deponent that  
the said John Bentz brought to him the watch here  
shown for the purpose of having it repaired, Deponent

Sworn to before me, this

day

~~State and County~~

Wilhelm Kemppew

over

of September 1887  
Police Justice.

State and County of New York  
City of New York J.S.S.

Joseph Flit of N<sup>o</sup> 1417. W. 39th street being duly  
sworn deposes and says that John Duntz came to him  
at his premises <sup>on the 6<sup>th</sup> instant</sup> and asked that deponent repair  
the watch he had shown. Deponent identified the  
watch as the property of William Knapton  
brought before me this

7th day of September 1881.

Joseph Flit  
Solomon B. Smith  
Police Justice

CITY AND COUNTY }  
OF NEW YORK, } ss.

*John Reutz* 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 Reutz*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *Harrytown*

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

Answer. *410. W. 39<sup>th</sup> St. N.Y. 6 or seven weeks*

Question. What is your business or profession?

Answer. *Idle*

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.*

Taken before me, this *7<sup>th</sup>*

day of *September* 188*8*

*John Reutz*  
*Salou Smith*  
Police Justice.

Sept 10 - 10.30 am

Sec. 208, 209, 210 & 212.

Police Court District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William Knappeal  
444 W. 39th St  
John Reuby

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Street,

Street,

Street,

Street,

Dated

Sept 10, 1881

Magistrate.

Clerk.

Minerly 1280

Joseph H. H.

Witnesses

No. 417, W 39

Street,

Street,

RECEIVED  
SEP 10 1881

RECEIVED  
SEP 10 1881

Committed

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

held to answer the same and he is committed to the City Prison until he give such bail as the Court may require and be committed to the Warden or Keeper of the City Prison until he give such bail

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

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

Dated 1881 Police Justice.

Sept 10 - 10.30. AM

863 2nd District

Sec. 208, 209, 210 & 212.

Police Court-- District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William H. H. H.  
447 W. 3rd St.  
John H. H.

Offence, Larceny from the person in the night time

Dated September 7 1881

Street Magistrate.

Ministry 2 J. H. H.  
Officer.

Witnesses, Brock Street  
Clerk.

No. 417, 10 39  
Street,

No. Street,

No. Street,

Committed  
SEP 10 1881  
OFFICE

BAILED,

No. 1, by

Residence Street,

No. 2, by

Residence Street,

No. 3, by

Residence Street,

No. 4, by

Residence Street,

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

guilty thereof, I order that he be held to answer the same and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated Sept 10 1881 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.

Sept 10 - 10.30. am

Sec. 208, 209, 210 & 212.

863 2nd District  
Police Court

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William Kempter  
444 W. 39th St  
John Kempter

BAILED,

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

Offence, *Arson with the intent to burn*  
Dated *September 7* 188*1*  
Magistrate, *Street*  
Minerly *28th*  
Clerk, *Joseph Ford*  
Witnesses, *No. 417, W 39* Street,  
*SEP 10 1881*  
*Committed*

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

*held to answer for same and he is committed to the City Prison until he give such bail as the Court may require*  
guilty thereof, I order that he be committed to the City Prison until he give such bail as the Court may require and be com-

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

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

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

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

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

committed as follows:

The said

late of the First Ward of the City of New York, in the County of New York, aforesaid

on the *fourth* day of *September* in the year of our Lord one thousand eight hundred and ~~eighty one~~ *eighty one* at the Ward, City and County aforesaid, with force and arms, in the night time of said day, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

*One watch of the value of four dollars.*

of the goods, chattels, and personal property of  
the person of the said  
found, from the person of the said  
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.

on  
then and there being  
then and there

~~BENJ. K. PHELPS, District Attorney.~~

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

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

The said

*John Benz*  
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,

force and arms, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

*one watch of the value of four dollars.*

of the goods, chattels and personal property of the said

*William Kamppen*  
by a certain person or persons to the Jurors aforesaid unknown, then lately before  
feloniously stolen, taken and carried away from the said

*William Kamppen*  
unlawfully, unjustly, did feloniously receive and have (the said

*John Benz*  
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.

DANIEL G. ROLLINS, District Attorney.

BOX:

46

FOLDER:

536

DESCRIPTION:

Berger, Fritz

DATE:

09/15/81



536

Filed 15<sup>th</sup> day of Sept 1881  
Pleads Not guilty (No)

THE PEOPLE  
vs.  
Fritz Berger.  
ASSAULT AND BATTERY.

DANIEL C ROLLINS,  
~~BENJ K PHELPS,~~  
District Attorney.

A True Bill.

W. D. Hays Foreman.

Sept 27, 1881.  
Discharged.

Witness  
James D. Hayes:

Case a several times  
Compliment not paid  
Sept 27/81

## Police Court--Second District.

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

or

Sworn to before me, this

1881

day

Police Justice.

James B. Ayres  
of No. 87 Ludlow Street

being duly sworn, deposes and says,

that on the 26 day of July  
in the year 1881, at the City of New York, in the County of New York,

he was violently ASSAULTED and BEATEN by

Fritz Berger (now here)  
who struck deponent a blow on the  
head with a cane then and there held  
in the hand of said Berger cutting  
deponent's <sup>head</sup> severely

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, &c., and be dealt with according to law

James B. Ayres.

Form 11.

Police Court--Second District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James B Ayres  
87 Ludlow St

vs.

Fritz Bergru

Dated

July 26 1881

B. H. Butler JUSTICE.

Marley 15 OFFICER.

WITNESS:



In testimony  
That deposed at  
New Orleans  
C

738

AFFIDAVIT A. & B.

Court of General Sessions ~~of the Peace~~ of  
the City and County of New York.

THE PEOPLE OF THE STATE OF  
NEW YORK,

*Fritz Berger* <sup>against</sup>

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

*Fritz Berger*

of the crime of

*Assault and Battery*

committed as follows:

The said

*Fritz Berger*

late of the First Ward of the City of New York, in the County of New York, aforesaid,  
on the *Twenty Sixth* day of *July* in the year of our Lord  
one thousand eight hundred and eighty - *one* at the Ward, City and County  
aforesaid, in and upon the body of *James B. Ayres*  
in the peace of the said people then and there being, with force and arms, unlawfully  
did make an assault and *him* the said *James B. Ayres*  
did then and there unlawfully beat, wound and ill-treat, to the great damage of the  
said *James B. Ayres* and against the peace of the  
People of the State of New York, and their dignity.

DANIEL C. ROLLINS,

**BENJ. K. PHELPS,** District Attorney.

BOX:

46

FOLDER:

536

DESCRIPTION:

Berry, Clarence C.

DATE:

09/07/81



536

Witness: —  
J. J. Fish —  
J. J. Fish —  
Opp. William Hatch:

Rail

Countdown St.  
345 Clinton Ave  
Brooklyn  
New York

Counsel,  
Filed 7 day of Dec 1881  
Pleads Not guilty

THE PEOPLE  
vs.  
Charles  
C. Beatty  
W. S. S.  
#1881

INDICTMENT.  
LARCHENY.

DANIEL G. ROLLINS,  
~~DENY. K. PHILLIPS,~~

District Attorney.  
Part No: Dec 9, 1881  
Pleads P. L.  
True Bill.

22 Dec. 1881  
Quarantined.

Foreman.  
J. J. Fish

C. Mass. P. M.  
F. J.

✓ District Police Court—

CITY AND COUNTY }  
OF NEW YORK } ss.

of No. 265 Broadway Street,

being duly sworn, deposes and saith, that on the 10th day of July, 1881

at the Twenty first Ward of the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent,

Ferdinand Fish

August 10th 1881

the following property viz.:

50 yards Axminster Carpet value one hundred dollars, One Extension Table value fifteen dollars, One Rosewood Bureau and Bedstead value Seventy five dollars one Marble top center table value twenty five dollars Two Hair mattresses value forty dollars, One Mirror value ten dollars, One Hat rack value ten dollars, ten feather pillows value twenty dollars, One Enamelled wardrobe value fifteen dollars, and other articles

the value of three hundred <sup>ten</sup> dollars or more the property of Mary F. Westervelt, and in complainant's care and charge.

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

Clarence C. Berry (now present) from the fact that deponent is informed by Louis Levi residing No 685 3 Avenue and Philip Rosentbaum of No 657 3 Avenue that on the 10th day of July and 14 days of August 1881 said Berry bought from said Levi and Rosentbaum part of the above described property, and the property was found by deponent in their possession.

Ferdinand Fish

Sworn before me this 10th day of August 1881  
S. J. Fish  
Police Justice.

State of New York  
City - County of New York

Louis Levi.

residing No. 655 3 Avenue being  
sum says that on the 10 day  
of July 1881 Dependent bought from  
Clarence C Berry, one carpet (1) Hat  
rack, Gas Lamp, Kitchen table, closet,  
(1) chromo, 2 Small Pictures, and  
paid said Berry for the same  
the sum of Eight dollars. Dependent  
went to premises No 362 Lexington Avenue  
met said Berry at the house, and he  
delivered the goods to dependent  
sum to Refuse me

this 9 day of August 1881 } Louis Levi  
My M. Berry

State of New York  
City County of New York

Philip Rosenbaum,  
residing No 657 3 Avenue being sum says.  
that on the 14 day of August 1881 Dependent  
bought from Clarence C Berry, a carpet,  
Kitchen table, Gas Lamp, 1 picture, for  
which dependent paid Berry the sum of Seventeen  
dollars, said Berry met dependent at the  
house and went with dependent to the  
store where dependent paid said Berry the  
sum of Seventeen dollars he then gave dependent  
the keys and told dependent to go and obtain  
the goods which dependent had paid for

P. Rosenbaum

AFFIDAVIT - Larceny.

187

MAGISTRATE.

OFFICER.

DISTRICT POLICE COURT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

VS.

DATED

WITNESSES:

*Handwritten notes:*  
I am not of legal age  
I am not of legal age  
I am not of legal age

**Police Court, Fourth District.**

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Clarence C. Berry* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer. *Clarence C. Berry*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *New York*

Question. Where do you live?

Answer. *418 East 51 Street*

Question. What is your occupation?

Answer. *Clerk*

Question. Have you anything to say, and if so what,—relative to the charge here preferred against you?

Answer. *I am not guilty*

*Clarence C. Berry.*

Taken before me this

day of August 1871

Police Justice.

Police Court—Fourth District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Produced  
ON THE COMPLAINT OF

265-Broadway

Clarence Perry

19

No. 1, by—

Residence -

No. 2, by

Residence

No. 3, by

Residence

No. 4, by—

Residence

No. 5, by

## Residence

No. 6, by

### Residence

Dated August 29 188

188

*Curry* Magistrate.

Magistrate.

Am. 14. 1874

officer.

*Bernard Malankey*

Clerk.

Witness,

Dear Mr. [unclear]

655 3 avenue

Pl. 1. R. vent.

July 3 1880

Mr. Tides

Received in District Att'y's Office

8/20/2011

*Clarence C. Berry*  
*against*

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

*Clarence C. Berry*

of the crime of

*Grand Larceny*

committed as follows:

The said

*Clarence C. Berry*

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

*Fifty yards of Carpet of the  
value of two dollars each yard  
One table of the value of fifteen  
dollars.*

*One Bureau of the value of  
forty dollars — One Bedstead of  
the value of Thirty-five dollars —  
One table of the value of twenty  
five dollars — Two mattresses  
of the value of twenty-five dollars each.  
One mirror of the value of ten  
dollars — One hat-rack of the  
value of ten dollars — Ten pil-  
lows of the value of two dollars  
each — One wardrobe of the  
value of fifteen dollars*

of the goods, chattels, and personal property of one

*Mary F. Krustervelt*

then and

there being found, 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.

DANIEL C. ROLLINS,

BENJ. K. PHELPS, District Attorney.

BOX:

46

FOLDER:

536

DESCRIPTION:

Best, Thomas

DATE:

09/12/81



536

Wm. Best

Counsel,  
Filed 12 day of Sept 1881  
Pleads

THE PEOPLE  
vs.  
Thomas Best.  
2 ems

DANIEL C ROLLINS,  
BENJ. K. PHELPS,  
District Attorney.

A True Bill.  
W. C. Dyke Foreman.  
Sept 13. 1881.  
Charles G. G.  
House of Refuge

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

Police Court—Third District.

of No. 354 Madison Street, being duly sworn, deposes  
and says that on ~~the~~ about the 4th day of August 18 81  
at the City of New York, in the County of New York, was feloniously taken, stolen, and carried  
away from the possession of deponent.

the following property viz: One Broche Shawl

of the value of thirty Dollars  
the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property  
was feloniously taken, stolen, and carried away by his son Thomas Best (minor)  
from the fact that he acknowledged and  
confessed that he did take steal and  
carry away said property on or about  
said date and that he pawned it  
at the Pawn office of DeLong 299 East  
Broadway in said City and after ward  
returned the Pawn Ticket to deponent.

John Best  
Mark

Sworn to, before me this

30

day of

August

18

81

W. J. Shaw

POLICE JUSTICE.

Police Court—Third District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Thomas Best* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer *Thomas Best*

Question. How old are you?

Answer. *14 years*

Question. Where were you born?

Answer. *New York*

Question. Where do you live?

Answer. *254 Madison St*

Question. What is your occupation?

Answer. *Work in a Boiler Shop*

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you? .

Answer. *Guilty.*

*Thomas Best*

Taken before me, this

day of

18

POLICE JUSTICE.

Q30

POLICE COURT—THIRD DISTRICT.

THE PEOPLE, & c.,

ON THE COMPLAINT OF

*John Deeth*  
354 Madison  
*Thomas Deeth*

AFFIDAVIT—LARCENY.

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

Witnesses

Dated

18

Magistrate.

Officer.

Name,

Address,

COUNSEL FOR DEFENDANT.

COUNSEL FOR COMPLAINANT.

Name,

Address,

§ 300 to answer

at Sessions

Received at Dist. Atty's Office.

ATTORNEY

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK,

FORM 112.

Police Court—Third District.

of No. *354 Madison* Street, being duly sworn, deposes  
and says that on the *27th* day of *August* 18*87*  
at the City of New York, in the County of New York, was feloniously taken, stolen, and carried  
away from the possession of deponent.

the following property viz:

*One pair of woollen  
Blankets*

of the value of *ten* 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 *his son Thomas Best (now here)*

*from the fact that he said Thomas acknowledged  
and confessed that he took stole and  
carried away said property from said  
premises and pawned the same at the  
pawn office of De Long 299 East Broadway  
in said city and that he returned the  
Pawn Ticket to deponent*

Sworn to, before me this

day of

*August*

18*87*

*30*

Police Justice.

*his son  
John + Best  
mark*

Police Court—Third District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

.....being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was at  
liberty to refuse to answer any question that may be put to him, states as follows,  
viz:

*Question.* What is your name?

*Answer.*

*Question.* How old are you?

*Answer.*

*Question.* Where were you born?

*Answer.*

*Question.* Where do you live?

*Answer.*

*Question.* What is your occupation?

*Answer.*

*Question.* Have you anything to say, and if so, what—relative to the  
charge here preferred against you?

***Answer.***

Taken before me, this ..... day of ..... 18 .....

POLICE JUSTICE.

830

POLICE COURT—THIRD DISTRICT.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

*John Beck*

*vs.*  
*Thomas Best*

AFFIDAVIT—LARCENY.

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

Dated

*August 30<sup>th</sup> 81*

Magistrate.

Officer.

*John Beck*  
*13th Street*

Name,

Witnesses

Address,

COUNSEL FOR DEFENDANT.

COUNSEL FOR COMPLAINANT.

Name,

Address,

§ *32* to answer

at *4.* Sessions

Received at Dist. Att'ys Office,

*[Signature]*

Court of General Sessions of the Peace of  
the City and County of New York.

THE PEOPLE OF THE STATE OF  
NEW YORK,

*Thomas Best* <sup>against</sup>

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

*Thomas Best*  
of the crime of *Larceny*

committed as follows:

The said

*Thomas Best*

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

*One blanket of the value of <sup>five</sup> ~~ten~~ dollars*  
*One other blanket of*  
*the value of five dollars*

of the goods, chattels, and personal property of one

*John Best*

then and  
there being found, 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.

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

of the CRIME OF

committed as follows:

The said

*Thomas Best*

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 blanket of the value of <sup>five</sup> ~~ten~~ dollars*  
*One other blanket of*  
*the value of five dollars*

of the goods, chattels, and personal property of the said

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen ~~of the said~~

*taken and carried away from the said*  
*John Best*  
unlawfully, unjustly, and ~~for the sake of wicked gain~~, did feloniously receive and have (the said

*Thomas Best*  
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~~  
*taken and carried away*  
People of the State of New York, and their dignity.

DANIEL G. ROLLINS,

BENJ. K. PHELPS, District Attorney.

Attest:  
John Best.

Counsel,  
Filed 12 day of Sept 1881  
Pleads

THE PEOPLE  
vs.  
*Thomas Best*  
*1 cr.* DANIEL C ROLLINS,  
~~BENJ. K. PHELPS,~~  
District Attorney.

Larceny, and Receiving Stolen Goods.

A True Bill.  
*A. B. Jaffer*  
Foreman.

Court of General Sessions ~~of the Peace~~ of  
the City and County of New York.

THE PEOPLE OF THE STATE OF  
NEW YORK,

*Thomas Best*  
against

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

*Thomas Best*

of the crime of

*Larceny*

committed as follows:

The said

*Thomas Best*

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

*One shawl of the value of thirty  
dollars*

of the goods, chattels, and personal property of one

*John Best*

there being found, 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.

then and

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

of the CRIME OF

*Thomas Best*  
*Receiving Stolen Goods*

committed as follows:

The said

*Thomas Best*

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 shawl of the value of thirty dollars*

of the goods, chattels, and personal property of the said

*John Best*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously  
stolen ~~of the said~~ *taken and carried away from the said*

*John Best*

unlawfully, unjustly, ~~and for the sake of wicked gain,~~ did feloniously receive and have (the said

*Thomas Best*

*taken and carried away*  
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.

DANIEL G. ROLLINS,

BENJ. K. PHELPS, District Attorney.

BOX:

46

FOLDER:

536

DESCRIPTION:

Birmingham, John

DATE:

09/13/81



536

Witness:  
John M. Hoyt:  
Offr John Poppe:

Counsel, H.C. Poppe  
Filed 13 day of Sept 1881  
Pleads Not guilty (14)

THE PEOPLE

vs.

John Birmingham

DANIEL C. ROLLINS,  
BENJ. K. PHELPS,

District Attorney.

A True Bill.

W. D. Poppe

Foreman.

I dont think dependant  
is guilty after examining  
from Sept 16. 1881  
J. D. Poppe

INDICTMENT.  
Larceny from the person.  
Wm. Lee. stolen goods.

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

Police Court--Second District.

*John W Hoyt*  
 of No *257- West 14th* Street, being duly sworn, deposes  
 and says, that on the *Thirtieth* day of *August* 188*1*  
 at the City of New York in the County of New York, was feloniously taken, stolen and carried  
 away, from the possession of deponent, *and from his person*

the following property, to wit: *One gold watch one plated  
 chain and one locket. in all*

of the value of *Fifty* Dollars,  
 the property of *Deponent*

and that this deponent has a probable cause to suspect, and does suspect, that the said property  
 was feloniously taken, stolen, and carried away by *John Birmingham*

*(now here) for the following reasons to wit.*  
*Deponent was in a saloon at 72-8th*  
*Avenue and was engaged in a scuffle*  
*in said saloon with an unknown man,*  
*and at that time had his watch in his possession.*  
*Deponent is informed by Officer Poppe of the*  
*9th Precinct that he saw said Birmingham with*  
*a watch in his hand and about to put it in*  
*his pocket. When deponent arrived at the station*  
*house he saw and identified his watch which*  
*deponent is informed was left there by said*  
*Birmingham. Deponent believes that said Birmingham*  
*feloniously stole and carried away the said watch*  
*from his vest pocket. The vest at the time being*  
*upon his person and left it at the station*

Sworn to before me, this

*31st*

day

of

*August*

1881

Police Justice.

house because he had been seen with the within  
named watch in his possession by Officer Poppe  
of the 9th Precinct Police, and deponent believes  
that said Birmingham, <sup>feloniously</sup> took said watch from  
the possession and from the person of deponent  
with the felonious intent to convert it to his own  
use.

Sworn to before me

this 31<sup>st</sup> day of August 1881

} John W. Hoyt

R. L. Morgan

Police Justice.

John Poppe an officer of the 9th Precinct Police  
being duly sworn deposes and says that on  
Tuesday August 30<sup>th</sup> 1881 he saw John Birmingham  
(now here) coming out of the saloon no 72 - 8th Avenue  
having in his hand and about to put it into  
his pocket the within described property which  
has been seen and identified by John W  
Hoyt as his property and which has been  
feloniously taken stolen and carried away  
from his possession and from his person by  
said John Birmingham (now here) -

Sworn to before me

this 31<sup>st</sup> day of Aug 1881

John W. Poppe

R. L. Morgan

Police Justice

POLICE COURT—FIFTH DISTRICT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*John Birmingham* being duly examined before the undersigned, according to law, on the annexed charge: and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer.

*John Birmingham*

Question. How old are you?

Answer.

*Twenty three years.*

Question. Where were you born?

Answer.

*U. S.*

Question. Where do you live?

Answer.

*117 West 24th*

Question. What is your occupation?

Answer.

*Waiter*

Question. Have you anything to say, and if so, what,—relative to the charge here preferred against you?

Answer.

*I am not guilty of stealing the watch -*  
*John Birmingham.*

Taken before me, this

*3/22*

day of

*Aug*

18*87*

*B. L. Morgan*

Police Justice.

Form 891.

Police Court-Second District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF  
*John W. Hoyt*  
*257 N. 68. St.*  
*John Birmingham*

Affidavit-Larceny.

DATED *August 31* 1881

*Morgan* MAGISTRATE.

*Pope* 9- OFFICER

WITNESS:  
*George Gee*  
*70 8th Avenue*

\$ *1000.* TO ANS.

BAILED BY *[Signature]*

No. *[Signature]* STREET.



Court of General Sessions ~~of the Peace~~ of  
the City and County of New York.

THE PEOPLE OF THE STATE OF  
NEW YORK,

*John Birmingham*  
The Grand Jury of the City and County of New York by this indictment accuse  
*John Birmingham*  
of the crime of *larceny from*  
*the person*  
committed as follows:  
The said *John Birmingham*

late of the First Ward of the City of New York, in the County of New York, aforesaid,

on the *thirtieth* day of *August* in the year of our Lord one  
thousand eight hundred and eighty *one* at the Ward, City, and County aforesaid,  
with force and arms,

*One watch of the value of thirty dollars*  
*One chain of the value of ten dollars*  
*One locker of the value of ten dollars*

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

~~BENJ. K. ROLLINS~~  
BENJ. K. PHELPS, District Attorney.

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

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

The said

*John Birmingham*  
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 watch of the value of thirty dollars*  
*One chain of the value of ten dollars*  
*One locket of the value of ten dollars*

of the goods, chattels and personal property of the said

*John W. Hoyt*  
by a certain person or persons to the Jurors aforesaid unknown, then lately before  
feloniously stolen, taken and carried away from the said

*John W. Hoyt*  
unlawfully, unjustly, did feloniously receive and have (the said

*John Birmingham*  
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.

**DANIEL G. ROLLINS, District Attorney.**

BOX:

46

FOLDER:

536

DESCRIPTION:

Black, George

DATE:

09/19/81



536

BOX:

46

FOLDER:

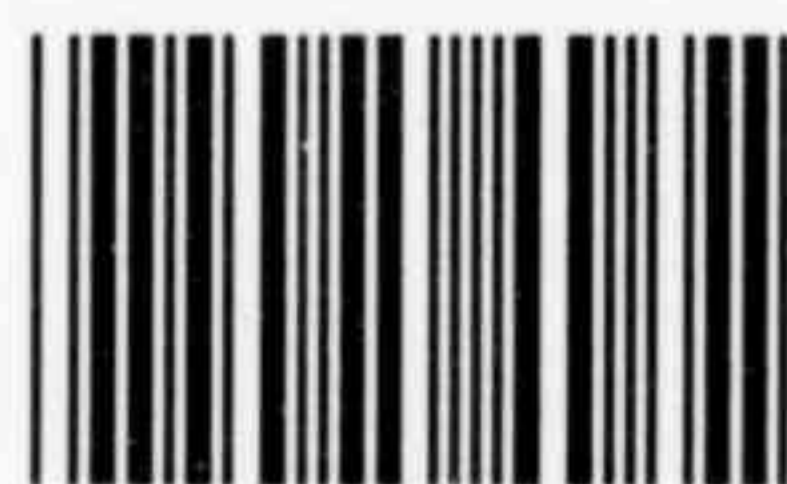
536

DESCRIPTION:

Berger, Nicholas

DATE:

09/19/81



536

BOX:

46

FOLDER:

536

DESCRIPTION:

Green, Thomas

DATE:

09/19/81



536

BOX:

46

FOLDER:

536

DESCRIPTION:

Peters, Leroy

DATE:

09/19/81



536

June 13<sup>th</sup> for No 2  
Oct 3<sup>rd</sup> 1881

Counsel,  
Filed 19 day of Sept 1881  
1. 3 Pleads Not Guilty 21.

Wm Taylor:  
Off. Frank Mason.

THE PEOPLE  
vs.  
George Black  
Richard Black  
James Black  
John Black  
4 Leroy, et al  
Larceny and Receiving Stolen Goods.

DANIEL G ROLLINS,  
BENJ K PHILIPS,

District Attorney.  
Part Two: Cal 7, 1881.  
Nos 1, 3 & 4 tried, & No 1  
A True Bill. convicted of R & S.  
to the mercy of the Court  
and Nos 3 & 4  
Foreman.

No 3 Elmir Ref.  
No 4 S.P. 15 months.  
No 1 Elmir Ref  
Oct 14<sup>th</sup> 1881

City, County of New York &c: -

William Taylor

Being duly sworn says

Question What is your name, age, place of residence and business?

A. William Taylor is my name, age forty eight years, I belong to the United States Steamer Dispatch in the capacity of first class fireman

Q. What do you complain happened by you on the 10<sup>th</sup> day of September 1881?

A. I went into a barroom, at a corner of a street & got some beer ~~and paid for it~~ I put my hand here in my breast pocket & took a money bag off my neck & pour the money out of the bag there was a twenty dollar gold piece I put it back & put the bag around my neck again. I had fifty cents in change in my breast pocket. I paid for the beer out of it. I went out on the sidewalk there were three men came out of the bar room grabbed a hold of me, one grabbed me around the neck ~~and~~

(Counsel requests that the words of the witness "and the other I suppose went through me" be taken down

The Court declines to take that down because his supposition is not evidence to which Counsel excepts) ~~the other~~

I will swear that that man (pointing to Serg. Peters)

they call him a dummy put his hand in my pocket and that this man here Peter Green put his hand around my neck. That is all they <sup>did to me</sup> Did you lose any money?

Question objected to as leading. Overruled. Exceptio.

A. Yes Sir I lost twenty dollars, a gold piece

Q. Have you seen a similar piece since then & where?

A. I have not seen any.

(Officer Frank Wilson of the 10<sup>th</sup> Precinct hands a gold piece to the witness)

Q. The gold piece now shown you is it similar to the one I lost.

A. It is.

Q. Was it a new or old piece?

A. It was a new piece the paymaster gave me

Q. Had you been drinking.

A. I had two or three drinks after the war was capable of minding myself

Q. How long were you in the cabon  
A. About ten minutes, I drank but once  
I treated four persons besides myself

Q. Did you treat either of the prisoners

A. I can't say. There were seven or  
eight persons in there besides a man  
behind the bar

Q. Did you defend yourself on the  
sidewalk?

A. Yes sir I tried to keep them off me  
as well as I could. I called out  
"Police", officer Wilson came up &  
took me and arrested me. He took  
me to the Station House. I didn't see  
him take anybody else

Being Cross Examined: —

Q. What time of the night was this?

A. About eleven o'clock

Q. Where does your ship lie

A. Brooklyn Navy Yard

Q. When did you leave her on that eve-  
ning?

A. Three o'clock in the afternoon on  
Saturday.

Q. How much money did you have then

A. Thirty one dollar.

Q. Where did you go when you left there

A. I came straight to New York City

I took a walk around with my ship-  
mates. They left <sup>me</sup> at Broadway and  
Chatham Street at half past four.  
There were five in the party. Before  
I left them I had nothing but one glass  
of ginger ale ~~about~~ I was left  
alone. I came through Chatham Street  
from Broadway & stopped at a jewelry  
store I think it is 79 I bought a gold  
ring therefor ten dollars. I am a mar-  
ried man my wife lives in Philadel-  
phia. I walked around Broadway  
awhile after my ship mates left me  
before I went to the jewelry store  
it was raining at the time. It was  
about six o'clock when I left the jew-  
elry store, it was getting dark at the  
time. I stopped in no place from  
the time I left the jewelry till I  
entered the bar room spoken of.  
It was about eleven o'clock I got to  
the bar room. Between seven and eleven  
o'clock I was walking around the  
city looking at things. I bought a few  
cigars and smoked them. I bought  
a white pocket handkerchief I bought  
nothing else & paid out no other money  
when I put my hand in my pocket

I had but twenty dollars and fifty cents left. I did not pay the ferryage. I did not spend any money till I entered the jewelry store except ten cents for two glasses of ginger ale. I paid twenty five cents for the handkerchief & paid forty cents for regan. The difference between the sum of \$31.25 <sup>I have</sup> ~~accounted for~~ and the \$35 I had when I started, I either lost it out of my pantation pocket or it was taken out ~~at the time~~ The ring was in that pocket too & that is gone I missed it yesterday morning at the station house I did not visit any concert saloon Before I got to the liquor store I had ~~three~~ about four beers altogether in me when I got in my walk around. I drank only one glass at any one place. I don't know any of the places I am ~~not~~ acquainted with the streets in the city. They were bar rooms I went in I saw no girls there. I took the money out of my breast pocket. I had the \$35 in my money bag I had all gold, a twenty, a ten and a five

I had the five dollar changed  
when I bought the finger all. The  
ten dollar I paid for the ring  
Q. Did you ask the proprietor of the  
corner bar room to change the  
twenty dollar gold piece?

A. I don't remember anything about  
that. I want swear that I didn't.  
There was a gas light on the side  
walk. I didn't see either of the  
defendants before Saturday night  
when I saw three of them, referred  
to previously. When I left the saloon  
I could navigate aboard my ship  
Green put his arm around my neck  
he was sideways from me, Peter  
the Dummy grabbed me around  
the waist & put his hand in my  
pantaloons pocket either Green or  
Peter took the money bag I can't say  
which one, Black stood by, I can't  
say what he did. I want swear I was  
sober or drunk I was about half

way  
Sworn to before me this  
12<sup>th</sup> day of September 1881

William <sup>has</sup> Taylor  
X  
mark  
John H. Hume  
Police Justice.

1  
1  
Timothy Hines being called as  
a witness for the prosecution did  
appear and swear as follows:

Q. What is your name, age, place of  
residence and business?

A. My name is Timothy Hines, age  
35 years, live at 99 Chrystie Street  
and am a porter.

Q. State what you know about this case.

A. I saw the sailor Gayla, the  
last witness, come out of the  
~~corner~~ <sup>North West</sup> saloon, corner of West 4th and  
Chrystie Streets, about half past  
ten o'clock. He went about thirty  
feet up Chrystie Street ~~where~~ as  
soon as he came out of the saloon  
on Chrystie Street side three men came  
after him, they came up to him, caught  
a hold of him, one on each side  
of him, ~~then~~ the defendant was  
one of the party, he was on his  
left side ~~on his~~ holding the  
left arm of the sailor with one  
hand and the other arm around  
the sailor's neck, the defendant  
Peter was on the sailor's right side  
touching him in some way I couldn't  
see, Peter had his back to me, the

Thank Wilson being next called  
 in the prosecution they study some  
 defense and say: —  
 2. What your name, age, place of re-  
 sidence and business?  
 I. I am E. Wilson, 38 years, reside at 193  
 Grand Street and am a police officer  
 attached to the 12th Precinct.  
 2. What do you know about the case?  
 I. I was called by the liquor store the  
 next next corner of Chryslers & North  
 about about half past 10 or 11  
 o'clock & might have seen a little  
 after eleven o'clock last Saturday  
 night, I heard the cry of "Mice"  
 five or six minutes afterwards. I  
 ran back to the corner of North  
 & Madison & found a crowd  
 in front of the liquor store & saw  
 this earlier, from information received  
 from him that he had lost some money  
 & got rid of him & the lot of  
 him & thought at first there was a  
 fight & saw him now walking away  
 & followed him & asked his name  
 & residence of the defendant what  
 the matter of all your names, says

2  
third man (he is not here) was  
behind the sailor. I was standing  
on the east side of Chrystie Street  
the sailor was faced up Chrystie  
Street. I saw Black the defendant  
afterwards, after the officer came  
up, in Chrystie Street further up  
Chrystie Street two or three houses  
from where the sailor was. I heard  
the sailor say I dont want to go  
I saw the sailor struggle & sink  
down & was pushed down. The  
three ~~men~~ men ran away toward  
the saloon & entered it. The sailor  
called "police". I crossed over to  
him then & he walked toward the  
saloon, a crowd collected in all  
directions in front of the saloon  
The officer Wilson came up & took  
charge of the sailor & took him to-  
ward the Station House towards  
Grand Street, he had gone about  
half way towards Grand Street  
when he arrested Black, he was  
walking fast. I was close by. I  
heard the officer ask Black what  
he had in his hand. He said nothing  
I saw the officer open his hand and take

1  
something out of it I went to the  
Station House

Cross Examination

Q. Was the sailor drunk?

A. He had been drinking. He  
didn't stagger I could smell  
his breath. I faced Green when I  
saw him do what I testified to. I  
have seen Green before, corner of Hester  
& Chrystie that's very near every night  
when I came home from work. I  
know the dummy too. I have known  
Green six weeks.

sworn to before me this

12<sup>th</sup> day of September 1881 } J. H. Hines

Attest C. H. Hines

Police Justice.

Further examination adjourned  
until Sept. 13<sup>th</sup> at 3 P.M., because  
of the lateness of the hour

Maub Wilson being next called  
for the prosecution & being duly sworn  
deposes and says: —

Q. What is your name, age, place of residence and business?

A. Frank Wilson, 30 years, reside at 193 Grand Street and am a police officer attached to the 10<sup>th</sup> Precinct.

Q. What do you know about this case?

A. I <sup>had</sup> passed by the liquor store the north west corner of Chrystie & West 11<sup>th</sup> streets about half past 10 or 11 o'clock & might have been a little after eleven o'clock last Saturday night, I heard the cry of "Police" fire a six minutes afterwards. I ran back to the <sup>same</sup> corner of ~~West~~ <sup>Chrystie</sup> & I mentioned & found a crowd in front of the liquor store & saw this sailor, from information I received from him that he had lost some money I got a hold of him & then let go of him & thought at first there was a fight I saw two men walking away & I followed them & asked Nicholas Berger one of the defendants what the matter was at your corner, says

he I don't know and at that I  
said to Black, the defendant, what  
is that you've got in your hand  
~~Counsel object~~ He said "nothing".  
I opened his hand & found a twenty  
dollar gold piece in his hand, then  
I took him to the station house, where  
I brought him to the station house, I  
asked him where he got it (Counsel  
objects to what ~~she~~ answered on the  
ground that it <sup>is not</sup> ~~doesn't~~ show that  
the other defendants were present.  
Objection overruled, Exception) He said  
Nick, gave it to him, then he was  
locked.

Cross Examination. The Captain  
arrested Green. He was arrested  
near 12 o'clock ~~They were all~~  
~~an~~ Officer Harris. The Captain  
& I went together to make the  
arrest I arrested Berger. I took  
Black there first. I never saw  
Harris before last Saturday night  
to my knowledge. I had no con-  
versation with him. He said he knew  
the parties  
Taken before me this  
13<sup>th</sup> day of September 1881  
Chas. C. Hammon  
Police Justice.

Frank Wilson

Motion to dismiss complaint  
thereupon made and granted  
only as to the defendant. Berger

(Further examination adjourned  
till Sept 14<sup>th</sup> 1881 at 9 1/2 A.M.,  
because of the lateness of the hour)

George Black waives any further  
examination

Mum Monro called as a witness  
for Thomas Green being duly sworn &  
deposed and says:—

Q. Do you know Green & where  
was he Saturday night.

A. I know him three or four  
months. I was in his company <sup>Saturday</sup>  
night. I met him about 8 P.M. outside  
of 55 Dwyer St. we had some <sup>drink</sup>  
at 53 Dwyer St. all after 11 P.M. we  
then went to Chrystie St. & left him  
there. & I went home. There was  
some trouble there when we got there.  
He was with me all the time. I  
didn't inquire about it.

Q. What ~~did~~ is your name, where  
do you live, how long, what is your  
business & age?

A. My name is James Monro, I  
live at 53 Dwyer St. <sup>four months</sup> 26 years

old. I came on from Cleveland with  
Green. <sup>I am a painter</sup> James Monro

Subscribed and sworn to  
14<sup>th</sup> day of Sept 1881

John C. Hanna  
Notary Public

William Amend being called as a witness for Leroy Peters & being sworn says. —

Q. What is your name, age, place of residence and business,

A. William Amend, 25 years old live at 45 Eldridge St barkeeper

Q. What do you know about this case?

A. I was with Peters from 8 till 11 1/4 that the talent at 68 Spring St. playing pool & cards. He came back to Beyley, with me. I was behind the bar when he was arrested. The barkeeper was behind the bar too. I was left in charge of the place when Nick was taken out. The Barkeeper's name is "Skatery" He only helped out Saturday. He closed the place Peters was in my sight all the time till he was arrested. He had nothing to do with the robbery

Taken before me this }  
14<sup>th</sup> day of Sept 1881 } Wm. Amend  
Attest - H. H. H. }  
Police Justice

Nicholas Burger being duly sworn  
deposes and says:—

Q. What is your name, age, residence  
address?

A. Nicholas Burger, 33 years, 139 West  
Street; Saloon Keeper.

Q. What do you know about this case?

A. I don't know anything about  
it.

Q. Where were you arrested?

A. At my place of business, 73 Christie  
Street.

Q. Did you see those men in there last  
Saturday night?

A. Yes Sir.

Q. Did you see him have any gold  
piece?

A. I didn't see him have any  
gold. I didn't see either Black  
Green, or Peter in the store that  
night or outside, until I got  
to the Station House.

Q. ~~I didn't see~~ Did you see  
Black in the street before you were  
arrested?

A. Black walked along side of  
me, when the officer hailed him. I went  
back to the place where I saw a crowd  
gather.

Sworn to before me this 14<sup>th</sup>  
day of September 1881

Wm. H. Miller  
Police Justice

Nicholas Burger

CITY AND COUNTY }  
OF NEW YORK, } ss.*Thomas Green*

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 Green*

Question. How old are you?

Answer.

*18 East Tannery*

Question. Where were you born?

Answer.

*Cleveland Ohio.*

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

Answer.

*I live corner Hester & Suncy since June 20-1887.*

Question. What is your business or profession?

Answer.

*Shoemaker*

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

Answer.

*I know nothing about the affair as it is in the neighborhood at all. I was brought to the State house at precisely ~~twelve~~ <sup>ten</sup> minutes after twelve.*

*his*  
*Thomas & Green*  
*Mark*

Taken before me, this

day of

1887

*14<sup>th</sup>*  
*September*

Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Leroy Peters* 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.

*Leroy Peters*

Question. How old are you?

Answer.

*24 years*

Question. Where were you born?

Answer.

*N.Y. City*

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

Answer.

*Min Hotel about a month*

Question. What is your business or profession?

Answer.

*Barber*

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.

*Saturday night I was playing pool about 12 or 14 blocks away in Spring Street I and a witness came over to the corner store about 12 or a little after I was arrested then. Why don't these people that were there tell the truth and not have an innocent party here.*

Taken before me, this

*14th* *Leroy Peters*

day of

*September* 188*8*

*Stuart. Nauman* Police Justice.

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

of *the 10th Precinct*

*Frank Wilson*  
*Police*

Street,

being duly sworn, deposes and says that on the

*10*

day of

*September*

18*81*, at the City of New York, in the County of New York

*he heard the affidavit of William Taylor*  
*(hereto annexed) and knows the contents thereof*  
*that the facts therein stated and referring*  
*to deponent are true to deponent's own*  
*knowledge*

Sworn to this  
before me

*Wm. C. Lawrence*  
day of *September* 18*81*

Police Justice.

*Frank Wilson*

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

Timothy Hines

of No. 99 Chrystie Street,  
being duly sworn, deposes and says that on the 10 day of September  
1881, at the City of New York, in the County of New York at 11 o'clock at night time

deponent saw Thomas Green and Leroy Peters  
(both now here) seize hold of William Taylor  
and violently hold him and forcible  
take and steal something from his person,

Sworn to this  
before me

Thos. A. Brown  
day of September 1881  
Police Justice

Timothy Hines

Police Court--Third District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

William Taylor

of No.

Street,

being duly sworn, depose and saith that on the 10 day of September 1881, at the tenth

Ward of the City of New York, in

the County of New York, was feloniously taken, stolen, and carried away from the person of deponent, by force and violence, without his consent and against his will, the following property, viz.:

good and lawful money of the issue of the United States consisting of one Gold Coin

of the value of

Twenty

DOLLARS,

the property of

deponent

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

George Black and Nicholas Berger and Thomas Green and Leroy Peters (all nowhere)

That deponent was in a Liquor Store on the corner of Hester & Christie Street, and when deponent left said Store, and when on the sidewalk the aforesaid Thomas Green & Leroy Peters seized deponent

hold of deponent, and held deponent when one of said defendants pulled the money bag which deponent had tied to a string, and was hanging under

around deponent's neck and under deponent's clothing and took from said money bag the aforesaid Gold Coin

Sworn before me, this

107

day

Police Justice.

Deponent is informed by officer Frank Wilson of the 10<sup>th</sup> Precinct Police that he heard deponent hallow "Police" and that said Wilson ran up to the assistance of deponent, and when he did get there he saw George Black and Nicholas Berger walk very fast from deponent and from the crowd that collected about him, and that said officer Wilson arrested them that said George Black had something in his hand and said officer asked said Black what he had in his hand, and he Black answered nothing that said officer opened the hand of said Black and there found a gold coin of the value of twenty dollars. Deponent therefore charges that said Black, Berger Green and Petters did act in concert together in taking stealing and carrying away said property by force and violence as aforesaid.

Sworn to before me this  
11<sup>th</sup> day of September 1881 } William H. Taylor  
his  
Mark  
Police Justice

Police Court—Third District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT—ROBBERY.

Dated

187

Magistrate.

Officer.

WITNESSES:

878  
Police Court-- 3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William Taylor  
George Black  
Nicholas Berger  
Thomas Green  
Leroy Petero

Office, *Robbery, Black & Green*

BAILED,

No. 1, by

Residence

Street,

No. 2, by

Residence

Street,

No. 3, by

Residence

Street,

No. 4, by

Residence

Street,

Dated Sept 11 1881

Magistrate.

Officer.

Clerk.

Witnesses.

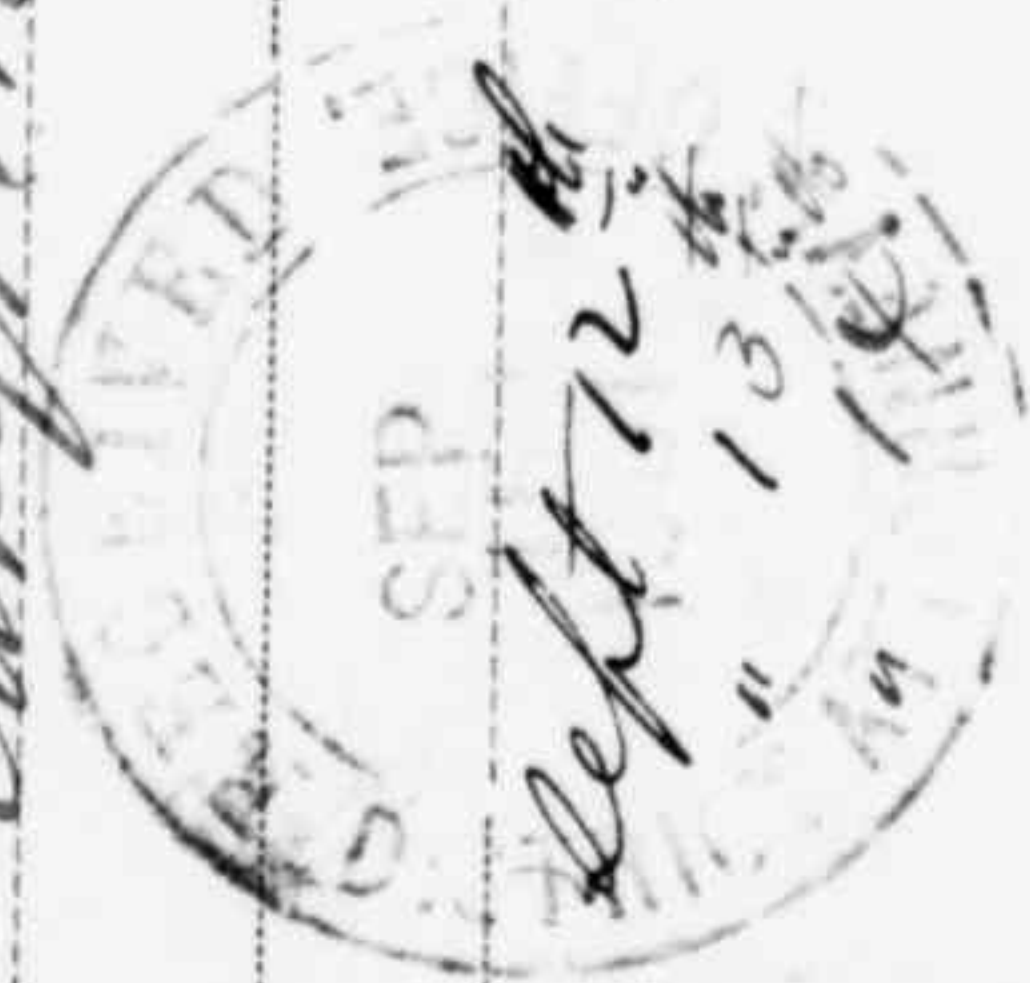
Grand Juror

to Pet Police

Quincy Jones

No. 99 Chrysostom

No. Street.



at 10:13

878

32 District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

It appearing to me by the within depositions and statement that the crime therein mentioned

has been committed, and that there is sufficient cause to believe the within named  
George Black and Thomas Green  
and Leroy Petero  
guilty thereof, I order that he be held to answer the same, and the said crime not being bailable by  
me, I further order that he be committed to the Warden and Keeper of the City Prison of the  
City of New York, until he shall be discharged by due course of law.

Dated at the City of New York, September 14 1881.

Police Justice.

878

Police Court 3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*William Taylor*  
*John A. Taylor*  
*George Black*  
*Richard Berger*  
*Thomas Green*  
*Leroy Peters*

Offence, *Robbery*  
*Receiving Stolen Goods*

Dated *Sept 11* 188*1*

*Thomas* Magistrate.

*W. Newman* 10 Officer.

Clerk.

Witnesses *Frank Sullivan*

*Asst. Police* Street.

*Private Smith*

No. *99* *Cherry St* Street.

No. *12* *13* Street.



BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

*30* District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

It appearing to me by the within depositions and statement that the crime therein mentioned

has been committed, and that there is sufficient cause to believe the within named

*George Black and Thomas Green*  
*and Leroy Peters*

guilty thereof, I order that he be held to answer the same, and the said crime not being bailable by me, I further order that he be committed to the Warden and Keeper of the City Prison of the City of New York, until he shall be discharged by due course of law.

Dated at the City of New York, *September 14* 188*1*.

*John A. Taylor* Police Justice.

Police Court

THE PEOP  
ON THE COMP

*William*

*George*

*Michael*

*Thomas*

*Henry*

Dated

*Sept*

*188*

Witnesses

*Wm*

*Robert*

*Wm*

No. 99

No.

*Sept 12*

BAILED,

No. 1, by

Residence

Street,

No. 2, by

Residence

Street,

No. 3, by

Residence

Street,

No. 4, by

Residence

Street,

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 *Nicholas Berger*  
guilty of the offence within mentioned, I order *he* to be discharged.

Dated *September 13<sup>th</sup>* 188

Police Justice.

Court of General Sessions ~~of the Peace~~ of  
the City and County of New York.

THE PEOPLE OF THE STATE OF  
NEW YORK,

*George Black, Nicholas Berger, Thomas Green & Leroy Peters*  
The Grand Jury of the City and County of New York by this indictment accuse  
*George Black, Nicholas Berger, Thomas Green and Leroy Peters*  
of the crime of *Larceny*

committed as follows:

The said *George Black, Nicholas Berger,*  
*Thomas Green and Leroy Peters* each

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

One gold coin (of the kind known  
as a double-eagle) of the value of  
twenty dollars of the goods, chattels  
and personal property of one William  
Taylor on the person of the said  
William Taylor then and there  
being found from the person of  
the said William Taylor.

~~of the goods, chattels, and personal property of one~~

then and  
there ~~being found~~, 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.

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

*George Black, Nicholas Berger, Thomas Green and Leroy Peters*  
of the CRIME OF *Receiving stolen Goods*

committed as follows:

The said

*George Black, Nicholas Berger  
Thomas Green and Leroy Peters each*

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 gold coin (of the kind known  
as a double-eagle) of the value  
of twenty dollars*

of the goods, chattels, and personal property of the said

*William Taylor*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously  
stolen ~~of the said~~ *taken and carried away from the said*

*William Taylor*

unlawfully, unjustly, ~~and for the sake of wicked gain,~~ did feloniously receive and have (the said)

*George Black, Nicholas Berger, Thomas Green and Leroy Peters*

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.

DANIEL G. ROLLINS,

BENJ. K. PHELPS, District Attorney.

BOX:

46

FOLDER:

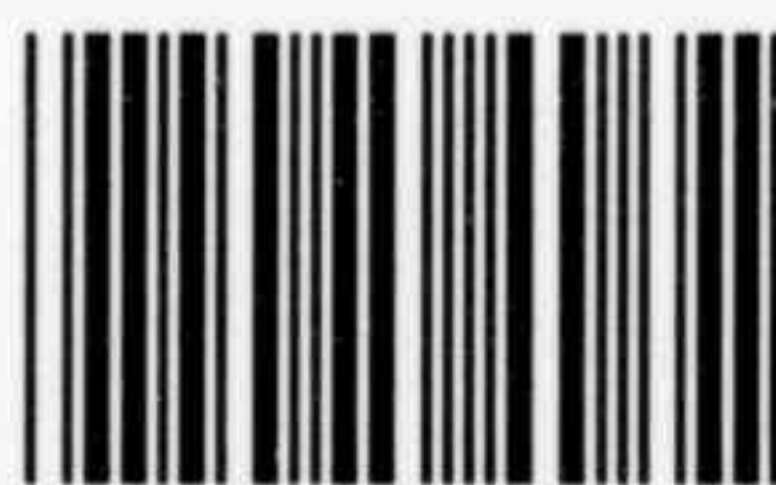
536

DESCRIPTION:

Boyd, Michael

DATE:

09/09/81



536

Witnesses:

Thomas Smith:  
Off. William Marsh:

Day of Trial,

Counsel,

Filed

day of

188

Pleads

Not guilty (12)

THE PEOPLE

vs.

Michael  
Borg.

Felony Assault and Battery.

Has done time  
2 1/2 years

DANIEL G. ROLLINS,

District Attorney.

A True Bill.

P. T. Ogden

Foreman.

Sept 14, 1881

Plends guilty and  
pleads Guilty

S.P. 4 1/2 years.

**Police Court—Fourth District.**

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

of No. *319 East 44* Street,  
on *Tuesday* the *30* day of *August*  
in the year 18*81*, at the City of New York, in the County of New York,

he was violently ASSAULTED and BEATEN by

*Michael Boyle*  
(*was present*) who cut and  
stabbed deponent with  
a pen knife on the  
left shoulder

with the felonious intent to take the life of deponent, or to do him 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, &c., and be dealt with according to law.

Sworn before me, this

*31*  
of *August*

day )  
18*81* }

*Thomas Smith*

*J. B. M. Kemper*  
Police Justice.

**Police Court—Fourth District.**  


---

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

of No. 319 East 44 Street,  
deposes and says, that

of No. 319 East 44 being duly sworn, deposes and says, that  
on Tuesday the 30 day of August  
in the year 1881, at the City of New York, in the County of New York.

he was violently ASSAULTED and BEATEN by

he was violently ASSAULTED and BEATEN by  
(unn. present) who cut and  
stabbed dependent with  
a pen knife on the  
left shoulder.

with the felonious intent to take the life of deponent, or to do him 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, &c., and be dealt with according to law.

Sworn before me, this

of August

day }  
187 }

Thomas Smith

*Wm. Lawrence* Police Justice.

**Police Court, Fourth District.**

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Michael Boyle* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer.

*Michael Boyle*

Question. How old are you?

Answer.

*42 years*

Question. Where were you born?

Answer.

*New York*

Question. Where do you live?

Answer.

*329 E 31st St*

Question. What is your occupation?

Answer.

*Drives Horse Cart*

Question. Have you anything to say, and if so what,—relative to the charge here preferred against you?

Answer.

*I am not guilty*

*Michael Boyle*  
*Mark*

Taken before me this

*21*

day of *August* 18*81*

*Police Justice.*

825

Police Court--Fourth District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Thomas Smith*

*349 8th*

*Alfred B. B. B.*

BAILED :

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence



Dated *August 31* 188

*Murray* Magistrate.

*Went* Officer.

Clerk.

Witnesses,

*Car. Committed to Prison*

*of Detention*

*W. H. B. B.*

Received in District Att'y's Office,

*W. H. B. B.*

# Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Boyz

The Grand Jury of the City and County of New York, by this indictment, accuse Michael Boyz of the CRIME OF "Assault and Battery upon another with a deadly weapon with intent to kill," committed as follows:

The said

Michael Boyz

late of the City of New York, in the County of New York, aforesaid, on the thirtieth day of August in the year of our Lord one thousand eight hundred and eighty one, with force and arms, at the City and County aforesaid, in and upon the body of Thomas Smith in the peace of the said people then and there being, feloniously did make an assault and with a certain knife which the said Michael Boyz

in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound with intent 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

Michael Boyz

of the CRIME OF "Assault upon another, without justifiable or excusable cause, with a sharp, dangerous weapon, with intent to do bodily harm," committed as follows:

The said

Michael Boyz

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

with force and arms, in and upon the body of the said Thomas Smith then and there being, wilfully and feloniously did make an assault and with a certain knife which the said Michael Boyz

in his right hand then and there had and held, the same being then and there a sharp, dangerous weapon, wilfully and feloniously, and without justifiable and excusable cause, did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously do bodily harm unto Thomas Smith 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  
*Michael Boyd*  
of the CRIME OF "Assault and Battery upon another by such means and force as was  
likely to produce death with intent to kill," committed as follows:

The said *Michael Boyd*  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, ~~the said~~

with force and arms, in and upon the body of *Thomas Smith*  
in the peace of the said people then and there being, feloniously did make another  
assault and ~~him~~ the said *Thomas Smith*  
with a certain *knife*

which the said *Michael Boyd*  
in *his* right  
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut  
and wound, the same being such means and force as was likely to produce the death  
of ~~him~~ the said *Thomas Smith* with intent ~~him~~ the  
said *Thomas Smith* 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.

FOURTH COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Michael Boyd*  
of the CRIME OF "Assault and Battery upon another, with a deadly weapon, with intent  
to maim," committed as follows:

The said *Michael Boyd*  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, ~~the said~~

with force and arms, in and upon the body of the said *Thomas Smith*  
then and there being, wilfully and feloniously did make another assault and ~~him~~  
the said *Thomas Smith* with a certain *knife* which the said  
*Michael Boyd*  
in *his* right hand then and there had and held, the same being then and there  
a deadly weapon, wilfully and feloniously did then and there beat, strike, stab,  
cut and wound, with intent then and there wilfully and feloniously to maim ~~him~~  
the said *Thomas Smith* 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.

DANIEL G. ROLLINS, District Attorney.

BOX:

46

FOLDER:

536

DESCRIPTION:

Boyd, Nevin W.

DATE:

09/06/81



536

Kugh Martin  
Officer Delany

Deft. Witnesses  
to be subpoenaed by Dist. Atty.

Patrick Ward  
84 Centre Street  
Francis Golden  
147 Leonard St.

John Galvin  
47 Bayview St.

P. G. Martin

Filed 6 day of Sept 1881

Pleads Not Guilty -

THE PEOPLE

vs.

William M.  
Borg

Assault and Battery - Felonious.  
Firearms.

DANIEL G. ROLLINS,  
District Attorney.

A True Bill.

M. J. Dwyer  
Foreman.

Guaranteed by  
J. J. Dwyer

Form

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

POLICE COURT—FIRST DISTRICT.

*Hugh Martin*  
of No. *150 Leonard* Street, being duly sworn, deposes and says,  
that on the *14* day of *August* 18*81*  
at the City of New York, in the County of New York, he was violently and feloniously assaulted and  
~~beaten~~ by *Nervins Boyd*

*who did willfully and feloniously  
point aim and discharged a pistol  
loaded with powder and leaden ball  
at deponents body*

Sworn to, before me, this

day of

*August* 18*81*

*John J. Munn* Police Justice.

~~Deponent believes that said injury, as above set forth, was inflicted by said~~

*deponent*  
with the felonious intent to take the life of deponent, or to do *h* 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 dealt with accord-  
ing to law.

*Hugh Martin*

Police Court—First District.

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

*Kevin Boyd* being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was at  
liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

*Kevin W. Boyd*

Question. How old are you?

Answer.

*Twenty four years*

Question. Where were you born?

Answer.

*Belfast, Ireland*

Question. Where do you live?

Answer.

*No. 14 Monroe Street*

Question. What is your occupation?

Answer.

*Iron railing maker*

Question. Have you anything to say, and if so, what—relative to the charge

here preferred against you?

Answer.

*I am not guilty*

*Kevin W. Boyd*

Taken before me, this

*15th*  
day of *August*  
18*87*

*W. C. Munn*  
POLICE JUSTICE.

Warrington 1131-781  
Police Court First District.

THE PEOPLE & Co.,  
ON THE PETITION OF  
Hugh Martin  
vs.  
Nevius Boyd

COUNSEL FOR COMPLAINANT.  
Name, \_\_\_\_\_  
Address, \_\_\_\_\_

BAILED:  
No. 1, by \_\_\_\_\_  
Residence, \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence, \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence, \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence, \_\_\_\_\_  
No. 5, by \_\_\_\_\_  
Residence, \_\_\_\_\_  
No. 6, by \_\_\_\_\_  
Residence, \_\_\_\_\_

Dated, 16 Aug 1881  
Hammish  
J. M. Connel  
Magistrate.  
Officer.  
Clerk.

COUNSEL FOR DEFENDANT.  
Name, \_\_\_\_\_  
Address, \_\_\_\_\_

Witnesses, ✓  
Michael Martin  
96 Centre Street  
James Prior 13 or 15 Elm St.  
Patrick O'Keefe 8 Franklin St.

to answer  
1000 Bond  
at General Sessions  
Received at Dist. Atty's Office,  
p. 2

Police Department of the City of New York.

~~Precinct No.~~ *Tombs Court*

New York, Oct 10<sup>th</sup> 1881

District Attorney  
Becher  
Dear Sir

I have done every  
thing in my power to  
find the complainant  
against Perino Boyd  
and I have failed to  
find him

the complainant  
Hugh Martin  
is reported  
to me as  
been out  
of the city

Respectfully  
John Delaney  
Roundsman  
Tombs Police Court

L.S.

**PART I.**

THE COURT-ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

~~13~~ If this Subpoena is disobeyed, an attachment will immediately issue.  
~~13~~ Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

**SUBPOENA**

FOR A WITNESS TO ATTEND THE

*Court of General Sessions of the Peace.*

The People of the State of New York,

To *Officer Delaney*

of No. \_\_\_\_\_ Street,

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *10* day of *October* instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

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

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall, in our said City, the first Monday of *Octr*, in the year of our Lord 188/

DANIEL G. ROLLINS, *District Attorney.*

**PART I.**

THE COURT-ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

~~13~~ If this Subpoena is disobeyed, an attachment will immediately issue.

~~13~~ Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

**SUBPŒNA**

FOR A WITNESS TO ATTEND THE

*Court of General Sessions of the Peace.*

**The People of the State of New York,**

To *Hugh Martin*  
of No. *150 Leonard* Street,

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *10<sup>th</sup>* day of *October* instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

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

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

DANIEL G. ROLLINS, *District Attorney.*

DISTRICT ATTORNEY'S OFFICE,

New York, ..... 188

Will Mr. Birnie  
look at Boyd's Case,  
and give opinion  
whether, the Com-  
plainant not  
being found, he  
should go on his  
own recognizance  
or minimal bail?

It is said that  
the witnesses will  
justify the shoot-  
ing, which did  
his hands to my  
best. R.B.F.

Subst. only Ampleman  
+ officers  
S. Sayre & P  
Sept Oct. 7

# Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Merius W. Boyd*

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

*Merius W. Boyd*

of the Crime of Shooting at another with intent to kill, committed as follows:

The said

*Merius W. Boyd*

late of the City of New York, in the County of New York, aforesaid,  
on the ~~fourteenth~~ day of ~~August~~ in the year of our Lord

one thousand eight hundred and eighty ~~one~~ with force and arms, at the City and  
County aforesaid, in and upon the body of *Hugh Martin*

in the peace of the said People then and there being, feloniously did make an assault  
and to, at and against ~~him~~ the said *Hugh Martin*

a certain ~~pistol~~ then and there loaded and charged with gunpowder and one  
lead bullet, which the said *Merius W. Boyd*

in ~~his~~ right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously, did then and there shoot off and discharge,

with intent ~~him~~ the said

*Hugh Martin*

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

*Merius W. Boyd*

of the Crime of Attempting to Discharge a ~~pistol~~ at another with Intent  
to Kill, committed as follows:

The said

*Merius W. Boyd*

afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, ~~the said~~

with force and arms, in and upon the body of the said *Hugh Martin*

in the peace of the said people then and there being, wilfully and feloniously did make  
an assault and to, at and against ~~him~~ the said *Hugh Martin*

a certain ~~pistol~~ then and there loaded and charged with gunpowder and one  
lead bullet, which the said

in ~~his~~ right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously, did then and there attempt to discharge,

with intent ~~him~~ the said

*Hugh Martin*

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.

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Meriv N. Boyd*  
of the Crime of Shooting and Discharging off a *pistol* at another, without  
justifiable or excusable cause, with intent to injure such other, committed as follows:

The said

*Meriv N. Boyd*  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, with force and arms, in and upon the body of the said *August*  
*Martin* then and there being, wilfully and feloniously did make an  
assault and to, at and against *him* the said *August*  
*Martin* a certain *pistol* then and there loaded and  
charged with gunpowder and one leaden bullet, which *he* the said

*Meriv N. Boyd*  
in *his* right hand, then and there had and held, wilfully and feloniously, and  
without justifiable or excusable cause, did then and there shoot off and discharge,  
with intent, then and there, thereby *him* the said

*August Martin*  
wilfully and feloniously then and there to injure, 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  
*Meriv N. Boyd*  
of the Crime of Attempting to Shoot off and Discharge a *pistol*  
at another, without justifiable or excusable cause, with intent to injure such other,  
committed as follows:

The said

*Meriv N. Boyd*  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, with force and arms, in and upon the body of the said *August*  
*Martin* then and there being, wilfully and feloniously, did make an  
assault and to, at and against *him* the said *August*  
*Martin* a certain *pistol* then and there loaded and  
charged with gunpowder and one leaden bullet, which *he* the said

*Meriv N. Boyd*  
in *his* right hand, then and there had and held, wilfully and feloniously, and  
without justifiable or excusable cause, did then and there attempt to shoot off and  
discharge, with intent, then and there, thereby *him* the said

*August Martin*  
wilfully and feloniously then and there to injure, 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.

DANIEL G. ROLLINS, District Attorney.