

0426

**BOX:**

350

**FOLDER:**

3296

**DESCRIPTION:**

Jackson, William

**DATE:**

04/17/89



3296

642

6-21 X

Counsel,

1889

Filed

17 day of April

Pleas

Chazy 11

THE PEOPLE,

\$7000.00

\$

William Jackson

F Oct 10 1890

140 5 1889

VIOLETION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1883, Sec. 21 and  
page 1889, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

April 14 1889  
Henry Daulty

A True BILL, This \$30 1/10

*[Signature]*  
Foreman.

Complaint sent to the Court  
of Special Sessions

Part III, ..... 1889

283  
W. J. Jackson

0428

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*William Jackson*

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

Question. What is your name?

Answer. *William Jackson*

Question. How old are you?

Answer. *36 Years.*

Question. Where were you born?

Answer. *New York*

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

Answer. *1469, 1<sup>st</sup> Ave New York*

Question. What is your business or profession?

Answer. *Painter*

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

Answer. *I am not guilty and demand a trial by jury.*

*William Jackson*

Taken before me this

188

Police Justice.

0429

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

*William Jackson*

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

Dated *June 20/89* 1889 *M. W. B. B.* Police Justice.

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

Dated *January 31* 1889 *M. W. B. B.* 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.

0430

Police Court---

196 District

THE PEOPLE, &c.,  
OF THE COUNTY OF

*John J. Sappri*  
vs.  
*William Jackson*

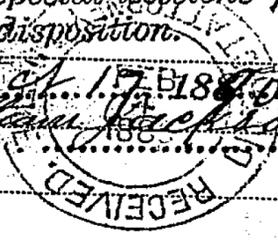
*William J. Sappri*  
Office

2  
3 *Ind. Apr. 17/89*  
4

Dated *January 28* 1889  
*J. J. Sappri* Magistrate.  
*Sappri* Officer.  
*C. O.* Precinct.

Witnesses I hereby consent and desire that  
this case against me be sent to the  
No. Court of Special Sessions for trial  
and final disposition.

Dated *Oct 17 1889*  
No. *William Jackson* Street.



No. Street.  
\$ *100* to answer *ll*

*Profited*  
*Set 2: P.M. 31*  
*Darius*

BAILED,

No. 1, by *Patrick Hayland*  
Residence *235-H-E 78* Street.

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

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

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

0431

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Charles Melde a Police Justice of the City of New York, charging William Jackson Defendant with the offence of No Excuse Law

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

We, William Jackson Defendant of No. 1469 First Avenue Street; by occupation a Bar tender and Thomas Maguire of No. 209 East 73<sup>rd</sup> Street, by occupation a Liquor dealer Surety, hereby jointly and severally undertake that the above named William Jackson Defendant shall personally appear before the said Justice, at the 51 District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of One Hundred Dollars.

Taken and acknowledged before me, this 28 day of January 1889.

W. Jackson  
W. Maguire  
M. Melde POLICE JUSTICE.

0432

CITY AND COUNTY } ES.  
OF NEW YORK, }

*Thomas Maguire*

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

*of land known as 745 First Avenue valued in excess of above sum*

*Thomas Maguire*

*Sworn to before me, this 25th day of February 1881*  
*John A. [Signature]*  
Justice

District Police Court.

THE PEOPLE, & C.,  
ON THE COMPLAINT OF

*Undertaking to appear during the Examination.*

vs.

Taken the ..... day of ..... 188

Justice.

0433

Excise Violation—Selling on Sunday.

POLICE COURT- /

DISTRICT.

City and County } ss.  
of New York, }

The Central office Police John A. Happei  
of No. Street,  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 27 day

of January 1889, in the City of New York, in the County of New York, at  
premises No. 1495-1st Avenue Street,

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

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

Sworn to before me, this 28th day of January 1889  
M. H. [Signature] Police Justice.

William Jackson  
John A. Happei

0434

Dr. H. J. SCHIFF,  
235 E. 78<sup>TH</sup> STREET,

New York, Oct 9<sup>th</sup> 1890

To Whom It May Concern

This is to certify  
that Wm Jackson is  
suffering from  
irreducible Hernia  
& cannot attend  
to his work. He is  
now under my  
professional care  
H. J. Schiff, M.D.

0435

TORN PAGE

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

PEOPLE OF THE STATE OF NEW YORK,

against

William Jackson

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

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

The said William Jackson

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

John F. Dappin

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

SECOND COUNT—

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

William Jackson

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

The said William Jackson

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

JOHN R. FELLOWS, District Attorney.

0436

**BOX:**

350

**FOLDER:**

3296

**DESCRIPTION:**

Jayet, Michael A.

**DATE:**

04/10/89



3296

0437

Counsel, Selling on Sunday.

Filed 10 day of April 1889

Pleads

VIOLATION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1893, Sec. 21 and  
page 1893, Sec. 6.]

THE PEOPLE,  
vs.

Michael J. Jager

141 E 17 St

JOHN R. FELLOWS,

District Attorney.

Referred to Mr. Fowler  
for investigation

A TRUE BILL.

May 20 1889  
WMA  
J. M. Curley  
Noteman.

Park 3. Dec 1. 1893

Trans 1769  
H.M.D.

B. J. Herbert  
Filed copy

WITNESSES:

James Mahan

0438

Sec. 198-200.

H District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Michael Jayet

Question. How old are you?

Answer. 44 years

Question. Where were you born?

Answer. Italy

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

Answer. 141 E 14th St 3 months

Question. What is your business or profession?

Answer. Hotel & Restaurant

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  
if tried I demand a trial  
by jury  
M. A. Jayet

Taken before me this

day of February 1889

M. A. Jayet

Police Justice

0439

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

*Defendant*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *100* Hundred Dollars,..... and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated.....188

*W. A. B. B. B.* Police Justice.

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

*Defendant*

Dated.....188

*W. A. B. B. B.* 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.

0440

18-19

BAILED.

No. 1, by Jacob Meyer  
Residence 293 Ave A Street.

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

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

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

~~2/29~~  
Police Court--- 4 District. 315

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James A Monaghan  
vs.

1 Michael Jayet  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence Wobblers  
2nd & 3rd Ave

Dated Feb 25 1889

Weed Magistrate.

Monaghan Officer.  
18 Precinct.

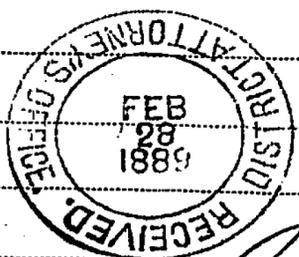
Witnesses \_\_\_\_\_

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

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

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

\$ 108 to answer GS



Bailed

0441

Excise Violation—Selling on Sunday.

POLICE COURT— 11 DISTRICT.

City and County } ss.  
of New York,

James A. Monaghan  
of No. 18 Precinct Police Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 24 day  
of February 1889 in the City of New York, in the County of New York, at

premises No. 141 East 17th Street,

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

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

Sworn to before me, this 25 day  
of February 1889  
M. W. [Signature] Police Justice.

James A. Monaghan

0442

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Michael A. Jayet*

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

*Michael A. Jayet*

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

The said *Michael A. Jayet*

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

*James A. Monaghan*

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

SECOND COUNT—

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

*Michael A. Jayet*

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

The said *Michael A. Jayet*

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

**JOHN R. FELLOWS,**

District Attorney.

0443

**BOX:**

350

**FOLDER:**

3296

**DESCRIPTION:**

Jeffers, Herbert

**DATE:**

04/23/89



3296

0444

*O. J. Hochstadt  
335 Broadway*

Counsel,

Filed 23 day of April 1889

Pleads *Not Guilty May 20th*

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

THE PEOPLE

vs.

*Herbert Jeffers*

JOHN R. FELLOWS,

District Attorney.

*John R. Fellows  
District Attorney  
June 7, 1889*

A TRUE BILL.

*John R. Fellows  
District Attorney*

*Filed June 7, 1889*

*June 7, 1889  
City Prison  
30 days*

Witnesses:

*L. M. Miller  
L. J. Collier*

0445

87  
The People  
vs.  
Herbert Jeffers.

{ Court of General Sessions, Part II.  
Before Judge Cowing.

June 4, 1889.

Indictment for assault in the first degree.

John McMillan sworn and examined.

I was assaulted on the 15th of December last on the corner of 42nd Street and Third Avenue in this city by the Defendant Jeffers . I was coming from my work at 42nd Street and the North River, I worked for the 42nd Street and Grand Street railroad , I got off at Third Avenue on this Saturday evening, it was a quarter past four when I got off the car; I met two men there that I know on the other side of the Avenue, the east side and when I got off there was two more on the other corner and they beckoned to me and the parties that were with me to go over on the other corner; so I was not over there over three minutes at most when this man Jeffers and two men that were on the northwest corner of 42nd Street had some angry words, and the first thing I knew Jeffers hit a man named Keelan and another by the name of Gahan, I happened to be acquainted with both of them and I interfered to prevent the assault, he made an attempt to strike me when I gave him a push with my hand and I knocked him back a little and he came towards me, I gave him another push and knocked him back a little more, I stepped back after that and he stepped back the other way, I should judge we were about twelve to fifteen feet apart, I saw him put his hand in his pocket and he pulled out a knife; I says to one of these men who were with me, "look out for yourself, he has got a knife"; he opened the knife, I heard the click of the

0446

spring, I says to one of the other men, "run", and I started to run, I had my lunch basket in my hand, I judge I ran about twenty-five or thirty feet, I was kind of excited when I seen the knife, I stumbled and fell and in the act he put the knife into me an inch and a quarter in the back, he did this when I was running away, it entered the left side near the spine, he inserted the blade into my body about an inch and a quarter; of course the blade went through the clothes I wore, they are at home in the house where I live, he only struck one blow; he ran through Third Avenue to Second and he threw the knife away. I got myself up off the sidewalk the best way I could, I went up to the Station House and made a charge against him and then I went from there to the Hospital and got the wound dressed. I have no doubt in my mind about the identity of the defendant, I never saw him before that night, I have seen him since in Court; I gave him no provocation for assaulting me beyond that which I have stated; at the time that this thing occurred he was quarreling with and assaulting two other men and I attempted to prevent a fight and that was the way it happened, this occurred on the 15th of September last in the City of New York, my watch stopped when I fell at twenty minutes past four.

Cross Examined.                      The names of the men who were with me that afternoon are, James Farry and Lawrence Keelan; I met Mr. Farry on the east side of Third Avenue below 42nd Street, I happened to go into a cutlery store on my way home, I had some business in there and coming out I met Mr. Farry, we both walked up Third Avenue on the

0447

east side of the avenue and went over on the other side; Mr. Keelan had been on the other side and Mr. Farry went over with me, one of the men was engaged in a fight but Mr. Farry was not, I was over on the other corner before the fight took place. Did I understand you to say to the Jury you struck this man the defendant several blows before he drew his knife? No sir. What did you say? I said after he struck Keelan and this other man that I went to part them and he made an attempt as I thought at the time to hit me also. I do not see that he should have any cause to fight with me, he struck each of the others a blow and I went over to separate him, I did not strike him but I touched him with my open hand, I wanted to separate them because I did not want to see anybody arrested, I did not at any time see the defendant lying on the floor. How many men were around him at the time of this fight? I do not know, there were several, there was probably twenty-five standing around the corner, there was a couple of men with him, I know Mr. Gahan, he was there, I know three or four men that were working up in the shop, they were not friends of mine but I happened to know them; I am a member of the Horseshoer's Union, I presume of the other men were members of the Union, Mr. Keelan, Farry and Gahan are members. Do you mean to tell the Court and Jury here that without any provocation on your part this man took out his knife and cut you? No more provocation than what I have just stated to the Jury. Do you say that this man had been fighting with three or four men? He had struck two blows, he had not been struck at all, no man ever raised a hand to him. Do you mean to

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say that this man took out a knife before he was struck by anybody? Sure. When you came over from across the street you had seen these friends of yours in an encounter with him? No, there was no encounter before I came over. What brought you over on the other side of the street? I did not know this man, this witness of mine here, he called me over there. What is the first thing you did when you came over? Nothing, I stood on the corner and they were in a conversation, I touched the defendant as I have explained already, I did not strike him with my fist, I did not shut my hand at all. You had seen no wrestling before you went over? Nothing whatever, I was standing there about four feet away when I saw these men struck, Keelan first and Gahan afterwards and the defendant went to repeat it and that is the time that I interfered so as to stop any arrest being made. What did Gahan and Keelan do when he struck? I do not remember whether they done anything or not, he done it so quick they did not have time to do anything; there was nobody talking only three then, there were no friends around him that time, they were probably fifteen or twenty feet away, these three men were talking by themselves when we heard the angry words. How long were you in the Hospital? I was there only getting my wound dressed, fifteen or twenty minutes.

By the Court. Q. I understand at the time you were stabbed you were running away and he came up and stabbed you in the back? Yes sir.

Lawrence Keelan sworn and examined.

I heard part of the evidence of the previous witness, I saw the difficulty, I met Herbert Jeffers on 42nd Street

0449

off Third Avenue on the southwest side of Third Avenue and he spoke to me, he told me he would meet me, that a party that I made a statement to passed there every evening about five o'clock on Saturday, we were there at twenty minutes past four o'clock; this man that he made this statement to was James Gahan. When I went down the prisoner accosted me, he said, "I meet you here";; I said, "yes, where is your party now?" I went down to the corner of Third Avenue, I saw McMillan, Gahan and James Farry on the opposite side of the street, they were either on the crossing or close to it between the southeast corner and the northeast corner of Third Avenue, crossing 42nd Street and I beckoned, I thought it was Gahan, I did not know which of them exactly, I attracted their attention first, they came over, the prisoner Jeffers called Gahan one side, I went with them, so we had a discussion and Jeffers at first denied that he made the statement but afterwards admitted it and no sooner did he but he hit me over the right eye and he hit Gahan, I don't know exactly where but some part of the face; we were standing and Jeffers had his back toward Third Avenue and Gahan was facing Third Avenue with enough space between me and Gahan for a man to pass through without shoving us one way or the other but I was unaware of his going to strike and no sooner did he hit the two blows all in an instant than he passed out between us and he was making a rush for Gahan; no sooner did he hit Gahan flying out between us than he made a rush for Gahan again and McMillan stepped in between, I saw McMillan give him a shove, he made for McMillan and McMillan gave him another shove, I do not know

0450

whether it was sufficient to drive him back a distance, he went back three or four yards and he pulled out a knife and McMillan ran passed me and Jeffers was on the upper side of all the party towards Lexington Avenue and the rest of the men were down towards Third Avenue. As he passed by me Farry and Gahan ran down, McMillan ran before him and fell when he went a distance and just as he was falling the defendant ran the knife into his back; he ran on to Second Avenue and I followed him as closely as I could, he turned the corner and went into the first or second door where he remained until the officer arrested him; that is all I know about it, I don't know the date when this happened, it must be in December last sometime at 42nd Street and Third Avenue in the City of New York.

Cross Examined. None of us touched or struck him with the exception of McMillan pushing him, McMillan, Farry and Gahan were with me, they were working with me, I am foreman on the 42nd Street Railroad; there is always a crowd of strangers around this place, the thing happened so quickly McMillan intervened to prevent him going to any of us any more, I am a horse-shoer, I had no arrangement with anybody to go there.

James Farry sworn and examined.

I saw a portion of the difficulty on the 15th of December; after getting through with my work about a quarter past four I came out of the shop, I work at Westcott's Express, I judge it is about a hundred feet from Third Avenue and going down from my work I got to the corner and crossed over on the east side of Third avenue and met

0451

a man named Gahan, he said to me he was waiting for McMillan, he got off one of the 42nd Street cars and he crossed down a door or two from the corner into a cutlery store, we stood on the corner till he came out; I says to them, "boys we are all going home, let us have a drink"; we used to meet every Saturday on the corner returning to our homes about the same time every Saturday evening; somebody called McMillan, I could not say who is was, he started across to the down town side of the street, Gahan followed him and I met two men who worked with the previous witness Keelan and I stood talking to them and McMillan went over too, Gahan called me and while I was talking to them I had my back to them, about a moment or two one of the men says to me, "they are having a scuffle"; I turned around and went up towards them and as I got up to them I saw McMillan separating Jeffers and Keelan was after striking him, he was cut in the lip anyhow whether is was from the stroke or not I do not know, he was bleeding at the time, he put his two hands out to separate them and pushed them apart and as he did the prisoner came forward and made a strike at McMillan and shoved him probably twelve to fifteen feet and as he did the prisoner hesitated for a moment, put his hand in his pocket and drew out a knife, I did not notice the knife coming out at the time till McMillan says, "look out boys. he has got a knife." With that I stepped back three feet, he had the knife in this position (showing) going for him, he says, "you son of a bitch", McMillan turned and was getting out of the way, just as he rushed at him with a knife, he was in the act of falling when he struck

0452

him in the back and cut through the two coats, he kept still running and Mr. Gahan and I followed him up 42nd Street and Second Avenue and when he got around the corner he went into the first or second house, got behind the door in the hallway, the officer came along and I says, "look out, he has got a knife." I think the officer pulled out a revolver or club and went in and got the prisoner.

Herbert Jeffers sworn and examined in his own behalf: I formerly resides at 1012 First Avenue, my mother is now living at 243 East 55th Street, I am twenty-three years of age, I am a farrier and horse-shoer. I have never been arrested or charged with any crime before, I was in business at 900 First Avenue in the horse-shoeing line up to the first of August but on account of sickness had to dispose of my business. I received a note of recommendation from Jacob Flurischer to Mr. Keelan of the 42nd Street Railroad to go to work but was unable and I gave the note to my brother and he received a position there, he worked for two days but was unable to continue the work and Mr. Keelan had laid him off and told my brother that when I saw him he would reinstate him and told him to meet me on Saturday night; that Saturday night I went there to see Mr. Keelan and to have him reinstate my brother. Mr. Keelan and Mr. Gahan came up and I said to Keelan, "I am here according to promise." He says yes, in a sneering tone. We got talking and Mr. McMillan came walking down with a basket in his hand and I said to McMillan, "this don't concern you,

0453

I am speaking to Mr. Keelan"; one word brought on another and Gahan accused me of looking after his place, which I was not and I told Mr. Keelan that I would not accept it under any consideration as I was not able to fill the position on account of my health. One word brought on another and Gahan struck at me and got in a scuffle both with me and Keelan, I made a break to get out and ran two or three feet, McMillan dropped his basket and struck me and followed me up and struck me again and knocked me down on my hands and knees, I was thrown, I was in a dazed condition and when I raised my head I thought I was getting out of the crowd because I knew I would get a terrible beating and I drew this knife in self-defence to get out of the crowd. There were five men surrounding me and they are all members of the Horse-shoers Union, I am not a member of the Union. McMillan struck me twice before I drew the knife, my eyes were discolored and my ear was swollen; there were no friends of mine in the crowd. The knife I had was one I had used for the last three or four years, I received it from my employer Mr. Steinhart, I used it for cutting in my business in taking care of henses.

Charles J. Atkinson sworn.

I live 903 First Avenue and am in the ice business, on the evening of the 15th of December I was at 42nd Street and Third Avenue and met Mr Jeffers on the corner, we conversed together for about ten minutes, four or five men came up and Jeffers spoke to some of these men and the first I knew there was a scuffle, Jeffers was struck and

0454

thrown in the gutter, Jeffers got on his feet, McMillan had a lunch basket in his hand, he dropped it and approached Jeffers, he had a knife in his hand and there was a crowd around at the time, I saw him lying in the gutter; a crowd surrounded him at the time and I did not see any more. I was sent to the Penitentiary for six months in 1882 for petty larceny. I have wrked steadily since then and was employed by the Brewers Ice Company.

John M. Fox sworn.

I am a collector of revenue and for five years was warden of the Penitentiary of Blackwell's Island, I know Jeffers quite a number of years and his character has been good.

Max Brand and Nathan Adlesdorfer also testified to the fact that the Defendant was a hard-working man whom they had known for some years.

The Jury rendered a verdict of guilty of assault in the third degree with a recommendation to mercy.

*Handwritten notes:*  
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0455

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Faint, mostly illegible typed text, possibly a letter or document header.

*Testimony in the  
case of  
Herbert Jeffers  
filed April  
1889*

...the witness ...  
...I was ...  
...the ...  
...the ...  
...the ...  
...the ...  
...the ...  
...the ...

0456

Sec. 192.

41 District Police Court

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Audrey White a Police Justice  
of the City of New York, charging Herbert Jeffers, Defendant with  
the offence of Del: asst D. City,

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

Herbert Jeffers Defendant of No. 1012  
Stuyvesant Ave. Street; by occupation a Rose Shaver  
and Thomas Anderson of No. 1401 East 29<sup>th</sup> St  
Street, by occupation a Contractor Surety, hereby jointly and severally undertake that  
the above named Herbert Jeffers, Defendant  
shall personally appear before the said Justice at the 41<sup>st</sup> District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of ten  
Hundred Dollars,

Taken and acknowledged before me, this 16<sup>th</sup> day of December 1888.  
Herbert Jeffers  
Thomas Anderson  
A. White POLICE JUSTICE.

0457

CITY AND COUNTY } ss.  
OF NEW YORK, }

Sworn to before me, this 16th day of March, 1888  
*[Signature]*  
Police Justice.

*Thomas Anderson* of house

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

trucks in premises No. 420 East 95th Street, and also 61st & 62nd Streets & Eastern Boulevard, of the value of Ten thousand Dollars,

*[Signature]*

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Undertaking to appear during the Examination.

Taken the ..... day of ..... 1888

Justice.

0458

Police Court 4 District.

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

of No. 1077 Third Avenue Street, aged 28 years,  
occupation Shoeshower being duly sworn

deposes and says, that on the 15 day of December 1888 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Herbert Jeffers (now here)  
who cut and stabbed  
deponent in the back with  
a knife then drew the  
blade in his hand

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

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

Sworn to before me, this 16 day  
of Dec 1888

John McMillan  
A. J. White Police Justice.

0459

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Herbert Jeffers*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *No 1012 First Ave 17 years*

Question. What is your business or profession?

Answer. *Veterinary Surgeon*

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*  
*Herbert Jeffers*

Taken before me this

day of *Sept* 188*8*

*H. J. [Signature]*

Police Justice

0460

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

*Defendant*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *100* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *Dec 10* 188 *A. J. White* Police Justice.

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

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

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

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

0461

Police Court

1965 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John McMillen*  
*839. 2nd Ave*  
*Arbutus Jeffries*

*Adward*  
*Galany*  
Offence

2  
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BAILED,

No. 1, by *John Cartwright*

Residence *327 East 122d* Street.

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

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

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

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

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

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

Dated *Dec 18* 188

*White* Magistrate.

*Hertz* Officer.

*13* Precinct.

Witnesses *James Garry*

No. *215 E. 43* Street.

*Lawrence Keelan*

No. *250* Street.



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

\$ *1000* to answer

*2.30*

*2.36*

*2.9.30*

0462

Court of General Sessions of the Peace.

The People of the State of New York.

— against —

Herbert Jeffers

City and County of New York, ss: Susan Jeffers  
being duly sworn deposes and says:  
That, I am the mother of Herbert  
Jeffers the defendant; upon the day  
of his arrest, my husband, the father  
of this defendant upon his learning  
of his son's trouble, suddenly died &  
was buried without the defendant  
being able to attend the funeral. This  
is the first time in my son's life  
that he has ever had any trouble,  
he is my only support, and I do  
not know how I can maintain  
myself. <sup>I am 62 years of age -</sup> without my son. I humbly  
beg that this Court may be lenient  
in the sentence of my son.

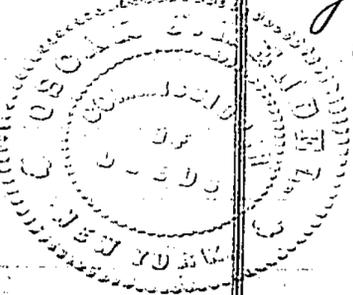
Sworn to before me this

5<sup>th</sup> day of June 1889-

Osca J. Mendel

Commissioner of Deeds

N.Y.C.



0463

City and County of New York:

Aaron Morris of No 28  
Remick Street New York City being duly sworn  
says - I am the Worshipful Master of Birgo  
Lodge No 30. Grand All in this city. I know Herbert  
Jeffers the defendant herein. I have known  
him for about three years - He is a member in  
good standing of my Lodge - and I have met  
him socially on many occasions in that  
time. I know that he is an honest - industrious  
hard working young man - the sole support of  
an old mother and a man who would  
not likely get into another trouble of this  
nature - and who would be of more benefit  
to the community than if he were sent to  
prison and his future blighted. He is only  
23 years of age - I know of many people  
who know him - and have heard many  
men speak highly of him. I can name among  
these persons Mr Louis Luitman, of 28 street  
7th Avenue, in the printing business - Mr Louis  
Jacobson - of No 338 East 49th Street, (Gentleman)  
and many others - some of whom are now in  
this Court ready to bear witness to this  
statement made by me. I respectfully request  
that such leniency may be extended to  
the defendant - as in your honor's judgment  
is possible, and that such punishment be

0464

as convenient as Justice may require.  
I am to be sure on this - } Aaron Morris  
7<sup>th</sup> day of June 1889.

Dear Mendel

Commissioner of deeds.

N.Y.C.

0465

New York June 6. 1889

To whom it may concern.

This is to Certify that  
I know Herbert Jeffers  
from his boy hood and  
I must <sup>state</sup> that he always  
been an intelligent, sober  
and noble character.  
I believe he never  
drank an intoxicating  
drink in his life, he  
is the only supporter  
of his old mother, and  
I can not think how he  
came to such drabble  
all the neighbors around  
this vicinity do take  
so much interest in the  
case for he was so  
liked by every body

0466

how knowt him, the  
lived 13.14 years in  
the same block so every  
child death know them.  
and all do impatience  
what he fear mother, if  
he shall be send away  
It suppose she will never  
stand it, excuse my  
writing, I can not  
express myself so in  
english as I could in  
German. I remain  
respectfully yours

Anton Halber  
936. 1. 1846

0467

**Halm & Simon,**  
**- UNDERTAKERS, -**  
936 First Avenue,  
Stables: 231 & 233 E. 51st St.  
Telephone Call, 15-39th St.  
NEW YORK.

O. J. HOCHSTADTER,  
COUNSELOR AT LAW,  
335 BROADWAY, N. Y. CITY

0460

Court of General Sessions  
of the Peace

The People vs.

vs.

Herbert Jeffers

of

Affidavits vs.

Oscar Prochstadter

Att'y. for deft.

335 Broadway

N.Y.C.

0469

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Herbert Jeffers

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

Herbert Jeffers

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

The said Herbert Jeffers

late of the City of New York, in the County of New York aforesaid, on the fifteenth day of December in the year of our Lord one thousand eight hundred and eighty-eight with force and arms at the City and County aforesaid, in and upon the body of one John Mc Millan in the peace of the said People then and there being, feloniously did make an assault, and him the said John Mc Millan with a certain knife

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

with intent him the said John Mc Millan 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

Herbert Jeffers

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

The said Herbert Jeffers

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

John Mc Millan with a certain knife

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

0470

THIRD COUNT—

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

*Herbert Jeffers*—  
of the ~~CRIME~~ OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Herbert Jeffers*—

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

*John Mc Millan* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and ~~him~~ the said *John Mc Millan* with a certain *knife*—

which ~~he~~ the said *Herbert Jeffers*—  
in *his* right hand then and there had and held, in and upon the *back* of ~~him~~ the said *John Mc Millan*

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *John Mc Millan*

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

JOHN R. FELLOWS,  
District Attorney.

0471

**BOX:**

350

**FOLDER:**

3296

**DESCRIPTION:**

Johnson, John

**DATE:**

04/24/89



3296

0472

H.C. Bench

Counsel,

Filed 24 day of April 1889

Pleas, *Chattel*

THE PEOPLE

Burglary in the Third degree.

[Section 498, Code]

vs.

*John Johnson*

JOHN R. FELLOWS,

District Attorney.

*Filed May 17/89 District Attorney.  
Filed in Virginia at Bond 3.  
Filed in Bond 21.*

A TRUE BILL.

15 May 89

*[Signature]*

Foreman.

May 17 1889

410

0473

Police Court— District.

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

Elias D. Carpenter

of No. Pier 24 (new number) North River Street, aged 50 years,

occupation Captain of Steamboat "Daniel S. Miller" being duly sworn  
deposes and says, that the ~~premises No~~ Steamboat Daniel S. Miller <sup>now lying</sup> ~~at Pier 24 North River~~ <sup>Street,</sup>

in the City and County aforesaid, the said being a Steamboat running  
between New York City and Poughkeepsie  
and which contains a large number of staterooms used  
as sleeping apartments. That one of said staterooms known as No. 28  
~~and in which there was at the time a human being, by name~~  
Twenty eight was

~~were~~ BURGLARIOUSLY entered by means of forcibly inserting a key  
into the lock fastening the door leading  
into said stateroom, turning the lock and  
opening the door and entering said  
stateroom

on the 12<sup>th</sup> day of April 1889 in the day time, and the  
~~following property feloniously taken, stolen, and carried away, viz:~~ <sup>was attempted</sup>

a quantity  
of bedding of the value of seventy  
five dollars

the property ~~of~~ in care and charge of deponent  
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed, and the aforesaid property taken, stolen, and carried away by

John Johnson

for the reasons following, to wit: That on said day the  
door leading to said stateroom  
was securely locked and fastened  
and the said property was therein. That  
at about the hour of 3 1/2 o'clock P.M.  
on said day deponent saw the defendant  
on said steamboat and saw the defendant  
insert a key into the lock of said door  
and heard the movement of the lock and

0474

saw the defendant open said door and enter the said stateroom.

Deponent further states that the defendant had no right or business on said Steamboat or any right to enter said State room. That the key by which the entry to said stateroom was effected was not a genuine key belonging to the owners of said Steamboat but was an imitation.

Sworn to before me this 12<sup>th</sup> April 1889

Elias J. Carpenter

Police Justice

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Burglary Degree.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0475

Sec. 198-200.

*J.M.*  
District Police Court.

CITY AND COUNTY OF NEW YORK, N.Y.

*John Johnson* 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 Johnson*

Question. How old are you?

Answer. *50 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *Lincoln, Staten Island*

Question. What is your business or profession?

Answer. *Seaman*

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

Answer. *I am not guilty of the charge*  
*John Johnson*

Taken before me this *12/14*

*James J. ...*  
1889

Police Justice

0476

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

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

Dated April 12<sup>th</sup> 1889

John Herman Police Justice.

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

Dated April 17 1889

John Herman Police Justice.

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

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

\_\_\_\_\_  
Police Justice.

0477

\$1500 bail for  
Ex 2 P.M April  
15/89

BAILED,

No. 1, by

*Murphy*

Residence

*460 West 51 Street.*

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street

Police Court--- *1st 603* District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Elias D. Carpenter*  
*New Pier 24 N River*

*John Johnson*

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*Angley*  
Offence

Dated *April 12<sup>th</sup>* 1889

*Gorman* Magistrate.

*Glass* Officer.

*28<sup>th</sup>* Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer



*Chas. B. ...*

0478

X-----X  
:  
The People  
:  
v.  
:  
John Johnson.  
:  
X-----X

0479

COURT OF GENERAL SESSIONS.

-----X  
 The People :  
 v. :  
 John Johnson, : Tried May 17th, 1889, before  
 Indictment filed *April 24, 1889.* : The Hon. Randolph B. Martine  
 Indicted for burglary in : and a Jury.  
 the third degree. :  
 -----X

Assistant District Attorney Fitzgerald, for the People.

Mr. Beach, for the Defense.

-----  
 E L I A S D. C A R P E N T E R testified that he was captain of the steamer B. S. Miller, a passenger and freight boat plying between New York and Poughkeepsie. He had been captain of the steamer about eight years. On April 12th, 1889, the steamer was lying at pier 24--new pier--at the foot of Franklin Street, North River. He saw the defendant on board of the steamer. He saw the defendant at about two or half past two o'clock. He saw him enter state room No. 10. He heard him insert the key and turn the key and enter the state room. He, the Captain, was in a state room across the

0480

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cabin. He had noticed the defendant in the cabin, and he had secreted himself to watch him. He was in his, the Captain's, own state room. State room No. 10 contained bedding and china belonging to the Poughkeepsie transportation Company. The defendant came out of No. 10 and tried another stateroom door, but did not get in. He inserted the key in the door of the last stateroom. The number of that room was 28. He, the witness, was partially undressed at the time that he first noticed the defendant, as he had been lying down. He finished dressing and went out and called a policeman, officer Glass. He was near the shore end of the pier. When he met the officer he walked down the pier with him and met the defendant coming up from the boat. The defendant said, "Captain, I think you are making a mistake," and he, the witness, said "If I am we will hold you anyway." Officer Glass took the defendant to the Tombs and he, the witness, made a complaint. The value of the property in each of the staterooms that the defendant visited was about fifty dollars. A few days afterwards a pair of nippers was found in the saloon by the stewardess.

(The Court directed the jury to disregard this tes-

0481

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timony as to the nippers and struck it out.)

Under Cross Examination, the witness testified that the saloon was locked up and none of the passengers had come aboard. The only door open was the door leading from the dining room to the cabin.

O F F I C E R S T. C L A I R G L A S S testified that he belonged to the Twenty-eighth Precinct, and that he arrested the defendant upon the complaint of the complainant on the pier. He searched the defendant in the cabin and found keys on him, and examined the stateroom door and found the lock broken. He gave the keys back to the defendant. He had no conversation with the defendant. In examining the doors of the state rooms he found that a little catch on the lock had dropped from the top screw to the bottom. That was on the door of room 28.

There was no defense.

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0482

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Johnson

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

John Johnson

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

The said John Johnson,

late of the 5th Ward of the City of New York, in the County of New York, aforesaid, on the 12th day of April, in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the a certain of one room in a certain vessel and steamer of one Elias D. Carpenter, called the "David S. Miller" then lying and being in the waters there known as the North River,

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said Elias D. Carpenter,

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

John Johnson

0483

**BOX:**

350

**FOLDER:**

3296

**DESCRIPTION:**

Jones, Henry

**DATE:**

04/17/89



3296

0484

205.

Counsel,

Filed

17 day of April 1889

Pleads,

Grand Larceny second degree. [Sections 628, 631, Penal Code].

THE PEOPLE

vs.

Henry Jones  
(2 cases)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*J. M. Wray*  
Foreman.

#205

Witnesses:

*John Casey*

*W. J. Thompson*

204 11/24

0485

Police Court 2 District.

Affidavit-Larceny.

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

Joshua S. Cooley

of No. 107 West 48th Street, aged 61 years,  
occupation (Retiree)

being duly sworn  
deposes and says, that on the 7 day of January 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

two overcoats of  
the value of fifty dollars, two pairs of gold  
bracelets of the value of fifty dollars, a gold  
watch of the value of fifty dollars, a black  
onyx breast pin of the value of ten  
dollars, a diamond ring of the value of  
seventy five dollars, a match box with the  
initials G. P. C. <sup>with one dollar</sup> and other articles in all  
of the value of about \$500 -

the property of deponent and his family and  
them in deponent's care

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 Henry Jones (now here) for the  
following reasons:- The said property was  
stolen from deponent's house on said  
date and deponent is informed by Police  
man John Carey now here, that on  
the 6th day of April last he arrested  
the defendant with a part of the  
said stolen property in his possession  
consisting of the said match box marked  
G. P. C. and a celluloid charm, here  
shown in court, and pawn tickets repre-  
senting the said gold watch and  
breast pin. Deponent asks that defendant  
be dealt with as the law directs

Joshua S. Cooley

Sworn to before me, this  
day of April 1889

William  
Police Justice.

0486

CITY AND COUNTY }  
OF NEW YORK, } ss.

*John Carey*

aged.....years, occupation..... of No.

*Policeman*

*16th Precinct*

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Joshua S. Cooley*

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

Sworn to before me, this

day of *April* 188

*John Carey*

*J. Minnik*

Police Justice.

0487

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Henry Jones* 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. *Henry Jones*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *MS*

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

Answer. *118 West 29th. This winter*

Question. What is your business or profession?

Answer. *Waiter and Cook*

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 taking the property. I received the tickets from other  
Henry Jones*

Taken before me this  
day of *April*

188*9*

Police Justice.

*[Signature]*

0488

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.....

*Henry Jones*

guilty thereof, I order that he be held to answer the same and ~~he be admitted to bail in the sum of~~ ~~100~~ ~~Hundred Dollars,~~.....

and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he ~~give such bail.~~ *(he legally discharged)*

Dated *April 8* 188 *J. Smith* Police Justice.

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

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

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

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

0489

Police Court---

2

540 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Joshua A. Cooley*  
*107 West 48<sup>th</sup> St*  
*Henry Jones*

*Sweeney*  
*Belong*  
Offence

2  
3  
4

BAILED,

No. 1, by  
Residence Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

Dated *April 8* 1889

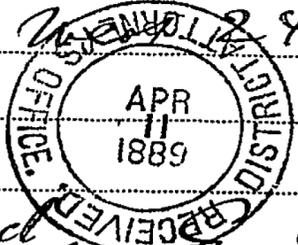
*Kilbreth* Magistrate.  
*Cay & Lopez* Officer.  
*16* Precinct.

Witnesses *Ely James Willard*

No. *409 West 23<sup>d</sup>* Street.

*Mr J Thompson*  
No. *254 West 24<sup>th</sup>* Street.

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



*Comd*  
\$ *without bond*

0490

No 1

your One I want to tell <sup>you</sup> about  
my base as I would like for you to  
have a understander about my  
Cassiter and that I is that I  
have got a good Cassiter and  
belong to the Society and I am a  
Crest line and you can see it  
by writing to 27 west 24 St and  
29 west 31 St and 7 west 21 St  
your One I go to whatch Hill  
Every Summer to work for  
Mr William Hill that keep  
Plumpton house I am his  
Second Cook for 3 years and  
I worked for Mr Champton and  
Stone for 5 Summers and they  
keep the Ocean house at  
whatch Hill and they can say  
that I never took as much  
as a Pine from there and your  
One I have been 18 years trying

0491

No 2

make a man of my self and  
now I have just got a start  
in life and now I lose it  
this place at whatah hill  
I get 45 dollars a month  
during the summer season  
and you know I can give  
to go that I am not at it  
as a gambler but I am honest  
and work for my living the  
reason that I write that letter  
is because I want to go to the  
truth of this and I was so  
bad that go God not under  
stand what I was saying  
this my first time that I  
have been arrested for stealing  
any things and I did not tell  
them things but I had the tears  
and did not say that they was stealing

0492

and so once I would like to  
assured me favor of you and  
that is I dont asse you to  
let me go but please give  
me the murey of the boat  
and suspend sentence on  
me untill I have before  
you a gain and then send  
me to prison for life time  
if you ever you write say  
to go say that what all  
of the boys say they did  
not do any thing but this  
is the truth that I am  
telling you and god is my judge  
I dont want to miss my word  
at the hearing from

Henry Jones

The murey of the boat is  
I please I am not guilty  
of the charge of stealing

0493

the detective has said that  
no one has told him  
any thing <sup>rough</sup> about me

0494

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Henry Jones*

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

*Henry Jones*

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

The said

*Henry Jones*

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

*two overcoats of the value of twenty-five dollars each, four bracelets of the value of thirteen dollars each, one watch of the value of fifty dollars, one breast-pin of the value of ten dollars, one ring of the value of seventy-five dollars, one match-box of the value of one dollar, and divers other goods, chattels and personal property, of a number and description to the Grand Jury aforesaid unknown, of the value of two hundred and fifty dollars*

of the goods, chattels and personal property of one

*Joshua A. Cooley*

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

0495

SECOND COUNT—

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

*Henry Jones*

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

The said

*Henry Jones*

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

*two overcoats of the value of twenty-five dollars each, four bracelets of the value of thirteen dollars each, one watch of the value of fifty dollars, one breast-pin of the value of ten dollars, one ring of the value of seventy-five dollars, one match-box of the value of one dollar, and divers other goods, chattels and personal property, of a number and description to the Grand Jury aforesaid unknown, of the value of two hundred and fifty dollars*

of the goods, chattels and personal property of one

*Joshua Q. Cooley*

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

*Joshua Q. Cooley*

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

*Henry Jones*

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

JOHN R. FELLOWS,

District Attorney.

0496

204.

Witnesses:

*John Carey*  
*John Carey*

Counsel,  
Filed *17* day of *April* 188*9*  
Pleads

*Grand Larceny (Sworn degree)*  
[Sections 528, 58/57 Penal Code].

THE PEOPLE

vs.

*Henry Jones*  
*(2 cases)*

*John R. Fellows,*  
District Attorney.

**A TRUE BILL.**

*Wm. M. ...*  
Foreman.  
*April 1889*

*Henry C. ...*  
*P. P. ...*  
*#204*  
*R.B.M.*

0497

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Henry Jones*

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

*Henry Jones*

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

The said *Henry Jones*.

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

*Two overcoats of the value of*  
*Twenty five dollars each, and*  
*of the goods, chattels and*  
*personal property of one*  
*George Wall, and one other*  
*overcoat of the value of*  
*Twenty five dollars.*

of the goods, chattels and personal property of one

*John Young*

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

*John Young*  
*[Signature]*

0498

**BOX:**

350

**FOLDER:**

3296

**DESCRIPTION:**

Justiz, Romulo

**DATE:**

04/10/89



3296

0499

Witnesses

*A. M. Ely*

Counsel,

Filed

10 day of April 1889

Pleas,

*Guilty - 11*

THE PEOPLE

vs.

*P*

*Bonno Justiz*

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*J. M. Kirby*  
*Apr 17/89*  
*Foreman.*

*on rec. of Dist. Ct. City  
dept. discharged on  
own recogn. P. B. M.*

*\$ 145*

*After several efforts  
to find the where-  
abouts of complainant  
& father - & also  
after an interview  
with Officer Proctor  
It will be impossible  
to obtain a verdict  
of guilty & therefore  
advice that deft be  
discharged on his own  
recognizance  
*J. S. B.*  
*Apr 17/89*  
*A. S. A.**

0500

Police Court— District.

CITY AND COUNTY OF NEW YORK, } ss.

*William Bogle*

of No. *57 Day* Street,

*Painter* being duly sworn, deposes and says, that

on *Wednesday* the *3<sup>rd</sup>* day of *April*

in the year 188 at the City of New York, in the County of New York:

he was violently and feloniously ASSAULTED and ~~BEATEN~~ by *Romulo*

*Justice (now here) who struck at deponent's body with the blade of a dagger which he, defendant held in his hand*

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

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

Sworn to before me, this *3* day of *April* 188*9*

*Wm Bogle*

*J. M. [Signature]* POLICE JUSTICE.

0501

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Romulo Justice*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *Central America*

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

Answer. *11 Market Street. 4 months*

Question. What is your business or profession?

Answer. *Seegar maker*

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

Answer. *I am not guilty*  
*Romulo Justice*

Taken before me this

day of *April*

188

*J. Henry [Signature]*

Police Justice

0502

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

*defendant*

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

Dated *April 3* 1889 *J. H. ...* 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.

0503

Police Court--- 499 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*William Bogle*  
*37 Bay St*  
*Romulo Justice*

*499*  
*St Lawrence's Precinct*  
Office

2  
3  
4

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *April 3* 1889

*Ford* Magistrate.

*Maker* Officer.

*10* Precinct.

Witnesses *John Smigan*

No. *50 Park Row* Street.

No. *155 E. 11th* Street.

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

\$ \_\_\_\_\_



*[Handwritten signatures and initials]*

0504

**PART I.**

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

To Wm. Boyle  
of No. 57 Deys Street,

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the 17th day of April, 1889, at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Ronald Justice

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

JOHN R. FELLOWS, *District Attorney.*

0505

Should assigned Office abo  
If incor state this  
If ill w Attorney  
If you fore the was not District

THE PEOPLE

vs.

*Romulo Justiz*

City and County of New York, ss.:

*James Maher* being duly sworn, deposes and says: I am a Police Officer attached to the *100th* Precinct, in the City of New York. On the *16th* day of *April*, 188*9*, I called at *57 DeW St.*

the alleged residence of *William Bogle* the complainant herein, to serve h*im* with the annexed subpoena, and was informed by the bartender of the liquor-store in said premises, that said *Bogle* does not, at present reside there. He did not know where he <sup>now</sup> resides. Deponent further states that said *Bogle* is a material witness herein.

Sworn to before me, this *17th* day of *April*, 188*9*

*Edward Gross*  
*Notary Public*  
City and County of New York

*James Maher*

0506

**Court of General Sessions.**

THE PEOPLE, on the Complaint of

vs.

*Ronald Justice*

Offense:

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

*Affiant of Police Officer*

*James Mahon*

*10th* Precinct.

**Failure to Find Witness.**

0507

*Serve Personal*

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

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

To *William Doyle* *Peritor*  
of No. *57* *Deu* Street.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the *17* day of *April* 1889, at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

*Romulo Justiz*

Dated at the City of New York, the first Monday of *April* in the year of our Lord, 1889.

JOHN R. FELLOWS, *District Attorney.*

**PART I.**

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.  
If this Subpcena is disobeyed, an attachment will immediately issue.  
Bring this Subpcena 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.]

0508

Court of General Sessions.

THE PEOPLE

vs.

Romulo Justiz

City and County of New York, ss:

Cornelius Leary

being duly

sworn, deposes and says: I reside at No. 27 North Moore Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the City and County of New York. On the 16th day of April, 1889,

I called at 57 Dey St.

the alleged residence of William Bogle the complainant herein, to serve him with the annexed subpoena, and was informed by

the janitor of said premises that said Bogle had removed from said premises, but he did not know where he had removed to. He informed me that said Bogle was employed in a weather-strip factory on Fulton St. near Broadway. I went there and was informed that no person of that name was employed there.

Sworn to before me, this 17 day of April, 1889

Cornelius Leary  
Subpoena Server.

Edward Cross  
Notary Public  
City and County of New York

0509

**Court of General Sessions.**

THE PEOPLE, *on the Complaint of*

*Ronald Justice*

Offence:

vs.

JOHN R. FELLOWS,  
*District Attorney.*

*Affidavit of*

*Cornelius Leary*  
*Subpoena Server.*

**Failure to Find Witness.**

05 10

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Romulo Justiz

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

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

The said Romulo Justiz

late of the City of New York, in the County of New York aforesaid, on the third day of April in the year of our Lord one thousand eight hundred and eighty-nine, with force, and arms, at the City and County aforesaid, in and upon the body of one William Bogle in the peace of the said People then and there being, feloniously did make an assault, and him the said William Bogle with a certain dagger

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

with intent him the said William Bogle 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

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

The said Romulo Justiz

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said William Bogle in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and him the said William Bogle with a certain dagger

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

John R. Fellows, District Attorney.