

0204

**BOX:**

187

**FOLDER:**

1887

**DESCRIPTION:**

Elliott, James

**DATE:**

09/18/85



1887

0205

Witnesses:

Counsel, *Brady*  
Filed *[Signature]* day of *Sept* 188*5*  
Pleads, *Mr & Mrs [Signature]*

THE PEOPLE  
vs.  
*R*  
*James [Signature]*  
ASSAULT IN THE THIRD DEGREE  
(Section 219, Penal Code.)

RANDOLPH B. MARTINE,  
District Attorney.

*No. 177*

A True Bill.

*Chas. N. Russell*  
*[Signature]*  
*In the presence of*  
*Mr & Mrs [Signature]*  
*Deputy [Signature]*  
*John C. [Signature]*

0206

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

*James Elliott*

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

*James Elliott*

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

The said *James Elliott*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *September*, in the year of our Lord one thousand eight hundred and eighty-*five*, at the Ward, City and County aforesaid, in and upon the body of one *Michael Dand*, in the peace of the said people then and there being, with force and arms, unlawfully did make an assault and *injure* the said *Michael Dand*, did then and there unlawfully beat, wound and illtreat, to the great damage of the said *Michael Dand*, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

**RANDOLPH B. MARTINE,**

**District Attorney.**

0207

**BOX:**

187

**FOLDER:**

1887

**DESCRIPTION:**

Elliott, Thomas

**DATE:**

09/17/85



1887

0200

Witnesses:

Counsel,

Filed

17 day of

Sept 1885

Pleads,

THE PEOPLE

vs.

F

Thomas Wick

Burglary in the Third Degree.

Sections 408, 409, 410

RANDOLPH B. MARTINE,

District Attorney.

No 143 I 2 Sept 1885

pleads attemp-

A True Bill.

S. P. one year

Chas H. Russell

Foreman

0209

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Thomas Elliott*

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

*Thomas Elliott*

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

The said *Thomas Elliott*,

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

*George Roth*

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

*George Roth*

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

*Randolph B. Martin*

*District Attorney*

POOR QUALITY ORIGINALS

0210

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

Police Court - 12 District. 943

THE PEOPLE, &c,  
ON THE COMPLAINT OF

George Roth  
291-7th Ave

Thomas Skellall

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

Offence Burglary

Dated Sept- 7 188 5

Frank M. O'Connell  
Magistrate.

Witnesses  
Charles Baumman  
29 Precinct.

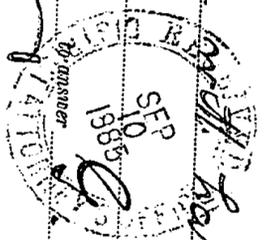
No. 291 7th Avenue Street

Thos- O'Connell

No. 283 7th Avenue Street

Officer Fred Hamm

No. 2000 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 George Roth

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 Sept- 7 188 5 Samuel C. Kelly 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.

0211

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Thomas Elliott

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 Elliott

Question. How old are you?

Answer 27 years

Question. Where were you born?

Answer. Brooklyn

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

Answer. 331 W 31<sup>st</sup> St 2 years

Question What is your business or profession?

Answer Waiter

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 <sup>not</sup> guilty

Thomas <sup>her</sup> mark Elliott

Taken before me this

day of Sept- 7 1887

Samuel C. Kelly Police Justice.

0212

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Fritz Kasefang*  
aged *53* years, occupation *Hotel keeper* of No. *283*  
*711 Avenue* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *George Poth*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this *7*  
day of *Sept* 188*7* } *Fritz Kasefang*  
*Sam'l C. Reilly*  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Charles Bauman*  
aged *33* years, occupation *Hardware business* of No. *291*  
*Swink Ave* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *George Poth*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this *7*  
day of *Sept* 188*7* } *Chas Baumann*  
*Sam'l C. Reilly*  
Police Justice.

0213

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Thomas Elliott

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 Elliott

Question. How old are you?

Answer 27 years

Question. Where were you born?

Answer. Brooklyn

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

Answer. 331 W 31<sup>st</sup> St 2 years

Question What is your business or profession?

Answer Writer

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 <sup>not</sup> guilty

Thomas <sup>her</sup> mark Elliott

Taken before me this

day of

Sept- 7 1887

Samuel C. Kelly Police Justice.

0214

Police Court 2 District.

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

George Potts

of No. 291 Seventh Avenue ~~Street~~ aged 24 years,  
occupation Barber being duly sworn.

deposes and says, that the premises No 291 Seventh Avenue ~~Street~~,  
in the City and County aforesaid, the said being a Barber Shop

and which was occupied by deponent as a Barber Shop

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

were BURGLARIOUSLY entered by means of forcibly breaking off  
the wooden shutters that was attached to the  
basement window where said shop is and  
breaking a pane of glass in the window  
leading into said premises

on the 6 day of September 1885 in the night-time, and the  
~~following property feloniously taken, stolen, and carried away, viz:~~

with the felonious intent to take steal and  
carry away therefrom the following property  
to wit one hundred China Cups  
thirty razors and other property  
all of the value of one hundred and  
fifty dollars

the property of deponent

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

Thomas Elliott (or there)

for the reasons following, to wit: That deponent is informed by ~~word~~  
Charles Baumann that he saw said  
defendant walk up and down in front  
of said premises twice and said defen-  
dant looked around to see if any  
person was near and went down the  
stairs of said premises in a rapid  
manner. Deponent says that <sup>he is informed that</sup> said defendant  
remained there about ten minutes and

0215

said Bauman walked in front of said premises and heard a noise as if some person was trying to open the lock and said Bauman asked Fritz Klasfong to look after said place until he got an officer. Deponent is informed by said Klasfong that he caught said defendant coming out of said premises and <sup>he said Klasfong</sup> held <sup>him</sup> until officer Bauman came and gave him in custody.

Sworn to before me George Poth,  
this 7th day Sept 1885  
Samuel P. Bull, Police Justice

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

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Burglary \_\_\_\_\_ Degree.

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

Magistrate.

Officer.

Clerk.

Witnesses:

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

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

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

02 16

**BOX:**

187

**FOLDER:**

1887

**DESCRIPTION:**

Enright, Michael

**DATE:**

09/14/85



1887

0217

Witnesses:

Mr. the witness of all  
the evidence in this case  
I am of the opinion that  
the People should not ask  
for a conviction & recommend  
that he be discharged from  
custody for his own recovery.

(see note drawn -)  
Apr 20/86. G. J. B.  
R. D. R.

Off J. J. Kelley  
22 pch

Counsel,

Filed 14 July of 1885

Pleas *Maguire, et al*

THE PEOPLE

vs.

F.

*Michael E. ...*

*Sworn & Corp  
4/16/86*

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

RANDOLPH B. MARTINE,

District Attorney.

No 71 In Apr 20. 1886.  
Drawn by C. A. H. M.

A True Bill. recog

*Chas. N. Hamell*

Foreman  
*April 20/86*

*G. J. B.*

02 18

**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 Enright*

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

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

The said *Michael Enright*,

late of the City of New York, in the County of New York aforesaid, on the *twenty-eighth* day of *August*, in the year of our Lord one thousand eight hundred and eighty-*five*, with force of arms, at the City and County aforesaid, in and upon the body of one *John McGuire*, in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *John McGuire*, a certain  *pistol* then and there loaded and charged with gunpowder and one leaden bullet, which the said *Michael Enright* 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 *John McGuire*, 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 *Michael Enright* of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows :

The said *Michael Enright*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of one *John McGuire*, in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and to, at and against *him* the said *John McGuire* a certain  *pistol* then and there charged and loaded with gunpowder and one leaden bullet, which the said *Michael Enright* in *his* right hand then and there had and held, the same being an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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



0220

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

District Police Court.

*Michael Enright*

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

*Michael Enright*

Question. How old are you?

Answer

*35 Years*

Question. Where were you born?

Answer.

*Pennsylvania*

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

Answer.

*202 West 87 Street*

Question. What is your business or profession?

Answer

*Horse Dealer*

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*

*Michael Enright*

Taken before me this

day of

188

Police Justice.

02221

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

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

of No. 255 West 40<sup>th</sup> Street, aged 38 years,  
occupation Livery business being duly sworn

deposes and says, that on the 28<sup>th</sup> day of August 1885 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Michael Smith now present

who did wilfully and maliciously point and aim a loaded pistol at deponent and fired and discharged said pistol while the same was so pointed and aimed

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 29<sup>th</sup> day of August 1885 John McGurne notary

[Signature] Police Justice.

0222

New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

Michael Bright

Assault.

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage

to myself. There was a free fight between myself and three men and defendant on one side and myself - I started towards the Dept. to strike him, as I had been struck, and thought he did it.

I cannot now say positively that defendant discharged the Pistol, although that is my impression - I ask that the defendant be discharged - There was an old feud between us

Witness John Brown  
John McPherson  
Mark