

0112

BOX:

318

FOLDER:

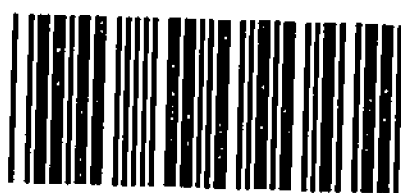
3022

DESCRIPTION:

Smith, Scott J.

DATE:

08/08/88



3022

0113

Witnesses;

6
Counsel, *David W. Harkness*
Filed, 8 day of August 1885
Pleads, *Not guilty.*

THE PEOPLE
vs.
Scott J. Smith
[Section 497, 506, 528, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

JOHN R. FELLOWS,
District Attorney.
Pr. 24/14/88
Ind. Provided 10/1/88
S. P. 2/1/88
A True Bill.
W. B. A.

Foreman.
Sept 11
Sept 14
Sept 14
Sept 14
Sept 14

0114

COURT OF GENERAL SESSIONS OF THE PEACE:
City and County of New York.

-----x
The People x
against x
Scott J. Smith. xBefore,
Indicted for burglary in the second x Hon.Randolph B.Martine,
degree. x and a Jury.
Indictment filed, July, 1888. x
-----x
Tried, Sept. 13th., 1888,

APPEARANCES:

Assistant District Attorney Bedford, for the People,
Mr. Meehan, for the Defence.

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MARGARET B. DALTON, the complainant, testified that
she was a married woman, living at 158th. West 17th.
Street. She lived on the top floor with her husband.
She was living there on the 16th. of July 1888.

0115

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At about 11 o'clock in the morning, she had occasion to leave her rooms. She locked the outer door of her room securely and took the key with her. The skylight in the roof over the hall-way of her floor was down when she went out... There was no hook on the skylight, but it was on tight. When she returned the skylight was partly open. Her door was not standing open, but the moment she touched it it opened without unlocking it. As soon as she entered she saw on the floor in front of her wardrobe an old ear ring that she had worn for a number of years. She concluded that some one had been rumaging in her wardrobe, because the ear-ring was in a little velvet trunk where she kept pieces of old jewelry. She had not used the ear-ring for many years. She went to the wardrobe and opened the door and found that three of her best dresses were gone. Each dress was valued at more than \$50. She had never got the dresses back. She noticed that a bag in which she kept soiled clothing outside of the wardrobe was missing. The bag was made of calico. The clothing had been turned out on the floor. She left her room at about 11 o'clock, and returned

0116

3.

between four and five.

CROSS-EXAMINATION. She testified that her husband had worked for 15 years for Gay Brothers at 81 Duane Street. There was no fastening on the skylight to hold it down. She had had one of the dresses two years, and one came home the day before and was brand new. She had worn it for once on Sunday night; and the other two dresses, she had had two years, and the other four years; they were silk dresses.

BETTY BELL, testified for the People that she lived at 162 West 17th. Street on the corner. She lived on the top floor of the house. At about two o'clock on the afternoon of the day in question she was in her hall-way outside of her rooms. She saw the defendant going down from the roof of Mrs. Dalton's house. He had a calico bag under his arms. She had seen the bag before and recognized it as Mrs. Dalton's bag. There was a parcel in the bag. She stepped back into her kitchen door and

0117

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let the defendant pass and he went down stairs. When she first saw him he was going down steps from the roof. He had a bag swinging in his hand. When the defendant got close to her he began to sing and continued to sing as he passed her. She had seen the defendant before. He lived on the same floor with her for two months with a woman last winter.

CROSS EXAMINATION The witness testified that she had lived at 162 West 17th. Street for 1 year and two months. She didn't know whether he was a married man. He lived there with a woman. She saw the defendant next after she saw him going down from the roof, at the station house, and she identified him.. The bag was made of print calico with a kind of little yellow flutes in it. She saw it in Mrs. Dalton's house a day or two before. She borrowed it once because she did laundry work.

OFFICER THOMAS F. HAYS testified that he arrested the defendant on the night of the 17th. of July in the rear tenement of a house in 28th. Street, near Eighth

0118

5.

Avenue, where a number of colored people live. The defendant asked him what he arrested him for and he, the witness, told him, and the defendant said, that he knew nothing about it .

CROSS-EXAMINATION. The witness testified that he arrested the defendant because Betty Bell told him that the person that she saw going down from the roof of her house was Jacque Smith, a name that the defendant goes by.

FOR THE DEFENCE. Jacque Smith, the defendant, testified that he lived at 149 West 24th. Street, on the second floor front. He had lived there 1 year and 2 months. He was a married man with a family. He had never lived in the house at 162 West 17th. Street and he didn't know where the house was. He had never seen Betty Bell before in his life. He didn't steal the complainant's clothing; nor was he in her house on the 17th. of July, or the 16th. either. On the 16th. of

0119

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July he was in the house of Mrs. Jane Tyler at 106 West 20th. Street. On the morning of the 16th, of July he met Mrs. Tyler at 7th. Avenue and 24rd. Street at 8 o'clock in the morning. and walked down to the house with her. She said that she had some work for him to do, and he went down to her house with her, and she gave him some breakfast and told him what to do, and he went to work and stayed there until 4 o'clock. He was putting down caprets and doing other work. She had just moved in. He had been employed as a house servant by Mr. Montague Walden of 375 West 23rd. Street, near Ninth Avenue and Doctor Robert H. Murray of 235 West 23rd. Street near Seventh Avenue. He had never taken any of Mrs. Dalton's property and had never seen her until the officer arrested him and took him to the station house.

CROSS EXAMINATION. He testified that at the time Betty Bell said that he lived in her house with a woman, he lived in 32nd. Street West No. 149. He then moved to 149 West 24th. Street and had lived there for about

0120

7.

two years and two months. He went to work for Mrs. Tyler at 8 o'clock on the morning of Monday. He thought it was the 15th.. He fixed the day, because on that same day he lost a child. He lost the child on Monday afternoon. It died. On the day that he lost the child he was working all day for Mrs. Tyler. At 4 o'clock he left Mrs. Tyler's house and went to his own house at 24th. Street. He had no regular employment, but did jobbing. When he went home, the landlady, Mrs. Pernell told him that his wife was out on the street looking for him to tell him that the child was dead. He went to Dr. Lillies, in 20th. Street to get a certificate to take to the Undertaker. He had worked for Mrs. Tyler before, doing odd jobs.

JANE TYLER testified that she lived at 116 West 20th. Street and had resided there since the 12th. of July. She had resided in the City of New York about 11 years. She knew the defendant Scott J. Smith. He had frequently been employed by her. She recollected seeing Smith. on the 16th. of July. She met him at Seventh

0121

Avenue and 23rd. Street and took him home to help her fix up her house. She had just moved in. She carried on business on her own account. She kept a laundry and took lodgers. She met Smith at about 8 o'clock in the morning and he worked in the house all day until 4 o'clock. He was not out of the house in the meantime. She didn't leave her house that day because she had rheumatism very badly. He was not out of her sight from eight in the morning till four in the afternoon.

CROSS-EXAMINATION. She testified that though she suffered so much from rheumatism that she could scarcely move, she had gone all over the house with Smith while he was at work and had never lost sight of him for a moment. Smith didn't go out of the house even for lunch, because she got lunch for both of them. Smith helped her to move into the house on the 12th. of July and he also worked for her on the 13th. and didn't come again until Monday when she took him to the house. She did not remember whether he was there on Sunday or not. She had entrusted Smith with her property, and never lost anything. She had known him for about

0122

9.

four years.

MONTAGUE WALDEN testified that he lived at 224 West 41st. Street. He was in the boot-blackening business and carried on business at Ninth Avenue and 23rd. Street. He had been in that business for 5 or 6 years. He had known the defendant Smith for about 2 years. Smith was in his employ from the Spring of 1886 until the following Spring. He had trusted Smith with the business during his absence, and he had never missed anything- any money or property. His character was good.

CROSS-EXAMINATION. He testified that he had trusted him with from 12 to 14 dollars at a time, of his money. He had loaned him the money to bury a child in July or August 1886. He had never heard anything against Smith's character.

IN REBUTTAL. Betty Bell being re-called by Mr. Bedford testified that she knew the defendant well. In February and March last, the woman with whom he lived

0123

10.

worked for her, and the defendant used to come to the door of her kitchen and ask for the woman. She knew him by the name of Jacque Smith, because the woman with whom he lived called him by that name. The woman's name was Lizzie. He came often to the door, and one morning when he called for Lizzie, she ^{told} Lizzie, ~~asked him~~ that he must not come to the door again because she had found out that he was a notorious thief and she had valuable clothing to wash..

SMITH, the defendant, being re-called testified that he had never gone to Mrs. Bell's door and that he had never seen her before in his life before he was arrested.
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Aug/88

The People

vs

Scott J. Smith

Before

Hon. Randolph M. Warner
and a Jury

Indicted for Burglary in
the Second Degree -

Indictment filed July 1888.

Tried, Sept 13 1888.

0125

Police Court—2 District.City and County }
of New York, } ss.:of No. 158 West 17Mrs. Margaret B. DaltonStreet, aged 42 years,occupation Housekeeper

being duly sworn

deposes and says, that the premises No 158 West 17 th Street,
in the City and County aforesaid, the said being a three story brick
houseand which was occupied by deponent as a dwelling on the third floor
and in which there was at the time a human being, by nameMr. Josephine Rogerswere BURGLARIOUSLY entered by means of forcibly openingthe skylight of the roofon the 16 day of July 1888 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:Two dresses
one a satin and the other a cloth
dress. Together of the value of
fifty dollars \$50 in a canvas bag.the property of Deponentand 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 byScott J. Smith

for the reasons following, to wit:

The said property was
left by deponent in said premises
which were securely locked and
closed about noon on Monday. On
deponent's return at 4:30 P.M. the
said property was missing. Deponent
is informed by Bettie Ball, now here
that she saw the deponent about
2 P.M. on said date, leaving the

0126

Said house from the direction of defendant,
Adm, having in his possession a calico
bag which the said Bettie Bell
recognized as the property of defendant.
and defendant further and charges
that the said stolen dresses were
carried away by defendant in the
said bag.

Margaret Dalton

SWORN TO BEFORE ME

THIS 18 DAY OF July

J. Thompson
JULY 18 1888
CLERK OF JUSTICE.

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Degree.

Burglary

vs.

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No.

Street.

0127

CITY AND COUNTY }
OF NEW YORK, } ss.

Bettie Bell
aged 26 years, occupation Laundress of No.

162 West 17 St Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Myron B. Dalton

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

Sworn to before me, this 15
day of July 1884 Mrs B Bell

[Signature]

Police Justice.

0128

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY
OF NEW YORK } ss.

Scott J. Smith

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.

Scott J. Smith

Question. How old are you?

Answer.

29

Question. Where were you born?

Answer.

U.S.

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

Answer.

149 West 24th St 2 years

Question. What is your business or profession?

Answer.

Labourer

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

Answer.

I am not guilty, I was wrongfully and unlawfully identified.

Scott J. Smith

Taken before me this

day of

188

Police Justice.

0129

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.....

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

Dated July 19th 1888 *J. Kennedy* *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.*

0130

Ex July 19th 2, P.M.

Police Court-- 2 District. 1122

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Margaret B. Dalton
158 West 17th St
Scott J. Smith

Offence *Bribery*

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *July 18* 188 *2*

Ford Magistrate.

Hayes Officer.

19 Precinct.

Witnesses *Betty Bell*

No. *162 W. 17* Street.

No. _____ Street.

No. _____ Street.

\$ *500* to answer *E. D.*

Low

0131

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Doth of Smith

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

Doth of Smith

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

The said *Doth of Smith*,

late of the *Sixteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *sixteenth* day of *July*, in the year
of our Lord one thousand eight hundred and eighty-*eight*, with force and arms, about the
hour of *two* o'clock in the *day* time of the same day, at the Ward,
City and County aforesaid, the dwelling house of one

Margaret Dalton,

there situate, feloniously and burglariously did break into and enter, there being then and there
some human being, to wit: *one Josephine Rogers*.

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

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

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

0132

SECOND COUNT—

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

— Scott G. Smith —

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

The said Scott G. Smith,

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

one dress of the value of thirty
dollars, one other dress of the
value of twenty dollars, and one
cash bag of the value of
ten cents,

of the goods, chattels and personal property of one Margaret Dalton,

in the dwelling house of the said Margaret Dalton, —

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

0133

THIRD COUNT—

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

Scott G. Smith

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

The said *Scott G. Smith*,

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

one dress of the value of twenty dollars, one other dress of the value of twenty dollars, and one calico bag of the value of ten cents,

of the goods, chattels and personal property of one *Margaret Dalton*,

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

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

Scott G. Smith

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.

0134

BOX:

318

FOLDER:

3022

DESCRIPTION:

Stevens, Henry

DATE:

08/08/88



3022

Previously convicted
D.D. ind. Fel. Les. B.M.

Witnesses:

Counsel,

Filed 8 day of Aug 1888.

Pleads, *innocence*

THE PEOPLE

vs.
116 St. 1st
116 1st
Henry Stevens

Grand Larceny second degree.
[Sections 528, 529, 530, Penal Code.]

JOHN R. FELLOWS,

District Attorney.

Aug 17th
pleads PR.

A True Bill.

Matthew A. Lemmle

Foreman.

Pen. 1 yr. B.M.

0135

0136

Police Court—

District.

Affidavit—Larceny.

City and County } ss.
of New York,of 5th Avenue Bet 114 & 115th Street, aged 43 years,
occupation Blacksmith being duly sworndeposes and says, that on the 23 day of July 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property viz:

A breech loading gun, of the
value of twenty eight dollars

the property of

deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by Henry Stevens (now present
from the fact that the gun was
stolen from an outside shed
adjoining said premises where deponent
had put it for the purpose of cleaning.
That soon after the commission
of the larceny one Mary Conrady says
that she saw the defendant
passing along 115th Street near 5th Avenue having a gun in his possession.
And the defendant now admits
that he had a gun which he got
from one Jones to pawn for him. And
that he did so pawn it in the pawnshop.
That deponent
has since seen the gun in the pawnshop
and identified it as his property =
Nicholas Ritz

Sworn to before me, this

day of

188

Police Justice.

0137

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 27 years, occupation Housekeeper of No. 114

West 5th & Madison Ave. Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this

day of July 1888

Mary Conrady
Police Justice.

0138

POLICE COURT 5 DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

Henry Stevens

On Complaint of

For

Nicholas Retz
Larceny

After being informed of my rights under the law, I hereby waive a trial, by Jury, on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated

July 26 1888

Henry Stevens

[Signature] Police Justice.

0139

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

3 District Police Court.

Henry Stevens 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 Stevens

Question. How old are you?

Answer.

21 Years

Question. Where were you born?

Answer.

This City

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

Answer.

5th Avenue and 116th Street

Question. What is your business or profession?

Answer.

Plumber

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

Answer.

I am not guilty. I got the gun from a person named Jones to pawn

Henry Stevens

Taken before me this

24th day of July 1888

Police Justice.

0140

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

Dated *July 26* 188*8* *Henry Stevens* 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.

0141

POOR QUALITY
ORIGINAL

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court--- 3 1171 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Nicholas Retz
3rd Ave bet 114th & 115th St
Henry Stevens

2
3
4

Dated July 26 1888

Magistrate.

Richard M. Clatchey Officer.

Precinct.

Witnesses Mary O'Leary

Bell & Mad^{am} 174 Street.

No. Street.

No. Street.

No. Street.

\$ 2.00 to answer

Gr. S.

Am

0142

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 Stevens

The Grand Jury of the City and County of New York, by this indictment, accuse *Henry Stevens* —

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

The said *Henry Stevens*.

late of the City of New York, in the County of New York aforesaid, on the *23rd* day of *July* in the year of our Lord one thousand eight hundred and eighty-*eight*, at the City and County aforesaid, with force and arms,

one gun of the value of
Twenty eight dollars.

of the goods, chattels and personal property of one *Nicholas Retz*

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.

0143

SECOND COUNT—

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

Henry Stevens —

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

The said *Henry Stevens*.

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

*one gun of the value of
Twenty eight dollars.*

of the goods, chattels and personal property of one *Nicholas Retz*.—

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

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

Henry Stevens —

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.

0144

BOX:

318

FOLDER:

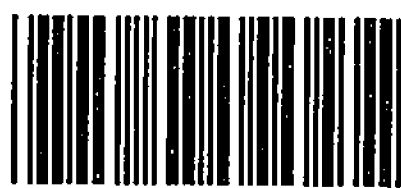
3022

DESCRIPTION:

Stewart, Edward

DATE:

08/15/88



3022

0145

Witnesses:

Counsel,

Filed 15 day of Aug 1888.
Pleads,

THE PEOPLE
vs.
17 May 21
Edward Stewart
Grand Larceny, 1st degree.
[Sections 528, 531, Penal Code].

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Widnell Connolly
Foreman.

August 16, 88
Pleads - 1st Larceny
Pen. Conv. R.M.

0146

Police Court—

2nd District.

Affidavit—Larceny.

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

Thomas McKenzie

of No. 101 Ninth Avenue Street, aged 27 years,
occupation Staburner being duly sworndeposes and says, that on the 17 day of July 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property viz:

One Silver Watch and Silver Chain
together of the value of Thirty two dollars
and fifty cents

the property of

Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by Edward Stewart (nowhere

from the fact that deponent missed
said property from deponent's apartments
no 101 Ninth Avenue and deponent is informed
by Officer George Logan of the 16th Precinct
Police that the defendant admitted and
confessed to said Logan that he had stolen
said property and that he defendant gave the
said property to defendant's brother said Logan
found said property in the defendant's brother's
possession was shown in Court which deponent
has seen and identified as the property taken
stolen and carried away as aforesaid

Thomas McKenzie

Sworn to before me, this

1888

day

Police Justice.

0147

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 38 years, occupation George Logan Police Officer of No.

The 16th Precinct Police ~~Street~~ being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Thomas McKenzie

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

Sworn to before me, this 18
day of July 1888

J. Henry Bond
Police Justice.

George Logan

0148

Sec. 198—200.

2nd

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Edward Stewart 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.

Edward Stewart

Question. How old are you?

Answer.

17 Years

Question. Where were you born?

Answer.

New York City

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

Answer.

228 West 29th St 6 Months

Question. What is your business or profession?

Answer.

Work for a Butcher

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 guilty I gave the water to my
brother*

Edward Stewart.

Taken before me this

day of

188

Police Justice.

0149

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 Fine Hundred Dollars,..... and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated July 18 188 J. R. Murphy 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.

0150

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court---

2nd 1103 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thomas McKenzie
101 9th Ward
Edward Stewart

1
2
3
4

Offence
Grand Larceny

Dated July 18 1888

George Logan Magistrate.

16th Precinct.

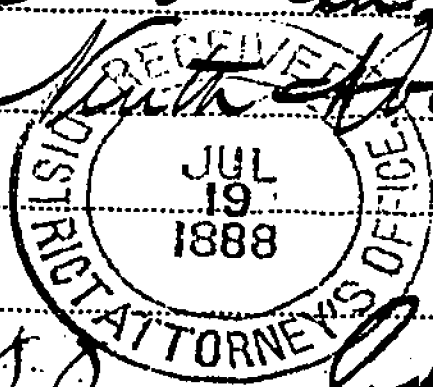
Witnesses Hear the Officer

No. Ellen McKenzie Street.

No. 101 North 1st Street.

No. 258 Street.

\$ to answer



Handwritten signature

0151

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward Stewart

The Grand Jury of the City and County of New York, by this indictment, accuse *Edward Stewart* —

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

The said *Edward Stewart*.

late of the City of New York, in the County of New York aforesaid, on the *17th* day of *July*, in the year of our Lord one thousand eight hundred and eighty-*eight*, at the City and County aforesaid, with force and arms,

one watch of the value of thirty dollars and one chain of the value of two dollars and fifty cents.

of the goods, chattels and personal property of one *Thomas McKeen*.

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

John R. Kellogg,
District Attorney

0152

BOX:

318

FOLDER:

3022

DESCRIPTION:

Stump, George

DATE:

08/08/88



3022

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10

77. vs. Slip- 2

George Stump

POLICY. [§§ 848 and 844, Penal Code].

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Aug 9/88
yellads gully - yd

A True Bill.

Bartholomew
Foreman.
Fine \$25. B.M.

0153

0154

(A)
17-21-36
Monday July
6 Governor
was struck

0155

AFFIDAVIT-Selling Lottery Policies.

CITY AND COUNTY }
OF NEW YORK, } ss.

2 District Police Court.

George C. Pease

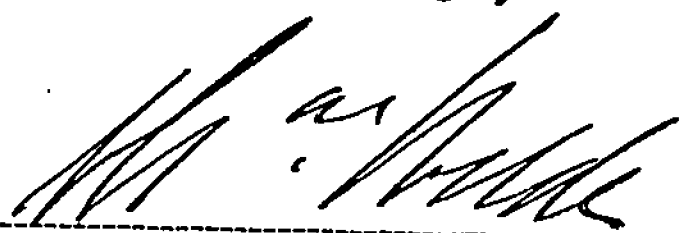
of No. 141 West 43^d Street, being duly sworn,
deposes and says, that on the 9th day of July
1888, at premises No. 6 Gouverneur slip Street,
in the City and County of New York,

George Stump

(now here)
did unlawfully and feloniously sell and send to register a
certain bet made by deponent, on a
a certain paper and document, the same being what is commonly
known as, and is called a Lottery Policy, and which said Lottery
Policy, writing, paper, and document is as follows, that is to say:

a certain paper hereto marked (A) bearing
the number 14-21-36. The defendant
received 25 cents from deponent for the said
bet and registered the same in deponent's presence
Which deponent charges was in violation of the statute in such
case made and provided, and prays that the said George
Stump may be dealt with according to law.

Sworn to before me, this 12th day of July 1888 } Geo. C. Pease



Police Justice.

0156

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK,

ss.

George Stumpf

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

Question. What is your name?

Answer.

George Stumpf

Question. How old are you?

Answer.

77 years old

Question. Where were you born?

Answer.

New York City

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

Answer.

4 Governor St. 13 yrs

Question. What is your business or profession?

Answer.

Nothing.

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
George Stumpf

Taken before me this

day of

188

Police Justice.

0157

Sec. 151.

Police Court 2 District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the *Police*
Justices for the City of New York, by George C. Pease
of No. 141 West 43d Street, that on the 7 day of July

1888 at the City of New York, in the County of New York,

George Trump of No 6 Gouverneur slip
did unlawfully and feloniously register a
certam bet made by deponent on a
lottery policy

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him
forthwith before me, at the 2 DISTRICT POLICE COURT, in the said City, or in case of my absence
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to
be dealt with according to law.

Dated at the City of New York, this 12 day of July 1888

Wm. H. Wells POLICE JUSTICE.

0158

7³⁰ A. M. 27. Mr N. J. Stone S. Sec. 4. Governor's Ship

The within named

having been brought before me under this Warrant, is committed for examination to the
WARDEN and KEEPER of the City Prison of the City of New York.

Dated 188

Police Justice.

POLICE COURT 2 DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George L. Beane

George L. Beane

Warrant-General.

Dated

July 12 188

McLure Magistrate.

Thomas Lingley Officer.

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

Thomas Lingley Officer.

Dated

July 22 188

This Warrant may be executed on Sunday or at
night.

W. J. Smith

Police Justice.

0159

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

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

Dated.....*July 22*.....188.....*J. Kennedy*..... 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.

0160

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

4 Bill ordered 1/25
Police Court--- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

George C. Pease
141 West 43rd St.
Geo. Stump

1

2

3

4

Offence Violation of
Jolly Law.

Dated July 17 1888

Magistrate.

Officer.

Precinct.

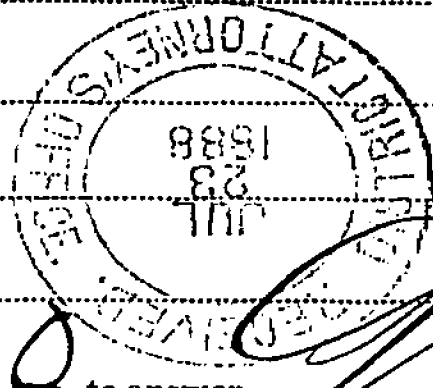
Witnesses Mr. A. Gray.

No. Evening World office

No. Street.

No. Street.

\$ 300 to answer



BE Pease

0161

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Fitzgerald Shumway

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

Fitzgerald Shumway

of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said *Fitzgerald Shumway*.

late of the *Fourth* Ward of the City of New York in the County of New York aforesaid, on the *ninth* day of *July*, in the year of our Lord one thousand eight hundred and eighty *nineteen*, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building, there situate, to be used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambling game commonly called "policy," where money and property was dependent upon the result, 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

Fitzgerald Shumway

of the CRIME OF KEEPING A ROOM TO BE USED FOR THE PURPOSE OF SELLING LOTTERY POLICIES THEREIN, committed as follows:

The said *Fitzgerald Shumway*.

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, unlawfully did keep a certain room in a certain building there situate, to be used for the purpose of therein selling and offering to sell what are commonly called Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and insurances upon the drawing or drawn numbers of certain public and private lotteries, and of therein endorsing and using books and other documents for the purpose of enabling divers persons to sell and offer to sell lottery policies and other such writings, papers and documents, 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.

0162

THIRD COUNT.

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

George Stump —

of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A LOTTERY POLICY, committed as follows:

The said *George Stump*,

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one *George R. Pease*, —

a certain paper, instrument and writing, commonly called a Lottery Policy, which said paper, instrument and writing, called a Lottery Policy, is as follows, that is to say:

14 - 21 - 36

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

FOURTH COUNT.

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

George Stump —

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

The said *George Stump*,

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one *George R. Pease*, —

a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more par-

0163

particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say:

14 - 21 - 36

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

FIFTH COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said *George S. Lunn* of the crime of *selling a writing paper and document in the nature of an insurance upon the drawing of a lottery*, committed as follows:

The said *George S. Lunn*,

late of the Ward, City and County aforesaid, afterward, to wit: On the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did send to one *James J. Lunn* an office and place in a certain building where he had the means, receiving and registering bets and taking for a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say:

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

Randolph B. Martine
RANDOLPH B. MARTINE

District Attorney.

0164

BOX:

318

FOLDER:

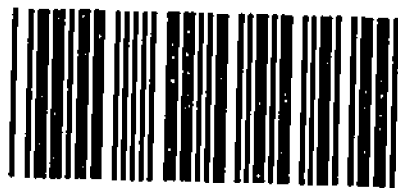
3022

DESCRIPTION:

Sullivan, James

DATE:

08/17/88



3022

0165

Witnesses:

Counsel,

Filed

17 day of Aug 1888

Pleads,

Wm. M. Kelly

THE PEOPLE

vs.

R

James Sullivan
(2 cases)

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

JOHN R. FELLOWS,

District Attorney.

Mr. Sept 17/88

Discharged by the Com.

in his own felony

A True Bill

Brookline County

Foreman.

Sept 16/88

Sept 17/88 G.S.B.

Sept 12/88

G.S.B.

After repeated
efforts to serve
the Complainant,
and failing in
all of them, I con-
sent to the open-
danto's discharge, in-
ow his own per-
sonal ignorance.

G.S.B.

A.D.A.

Sept. 17th, 1888

0166

35-

The People
vs.
James Sullivan.

Court of General Sessions, Part 1.
Before Judge Martine.

Wednesday, August 15, 1888.

Jointly indicted with George Mullen for robbery in
the first degree.

William Ryan sworn and examined. I live at 309
Delancy Street and remember the 24th of July 1888, I re-
member being in Pell Street that night about eight o'clock
and remember seeing this defendant there at that time, he
had Mullen with him, I identified Sullivan right away in
the Station House as soon as I saw him, I don't remember
ever having seen him before that night to my knowledge nor
had I ever seen Mullen before that time. I had five
dollars and three twenty-five cent and a fifty cent piece
in my right pocket. They got hold of me and caught me,
one of them and wrapped me in the face very hard and in
the ear, Mullen rapped me in the face and as soon as I
halloed watch, the more I hollered the more he would hit
me, he hit me three I think, he gave me pretty hard
knocks, I was all good and black in the Station House.
This was in Pell Street near Mott, I had never spoken a
word to the men, I was walking along the street on the
right hand side going up towards the Bowery, I was going
on the way home east, towards the Bowery, I was alone;
the two men were standing and as soon as I came across
they went and put their hands around me in Pell Street,
not very far from the corner, about five houses from the
corner of Mott Street; they were the only persons I saw
standing on the corner, Mullen put his hand around me,
both hands, and squeezed me around my neck and while

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Mullen was holding me, the other fellow Sullivan put his hand in my right hand pantaloons pocket and took my money, he took \$11.50, I did not see the money in his hand but I am sure it was in my pocket, nobody took it only him, he went through me and took my pocket-book. While Mullen had hold of me I saw his face, he was behind me, I saw the side of his face while the Defendant Sullivan was in front of me and I saw his face clearly, I had no watch and I could not tell you how long this took but it did not take long. When they got my money I don't know what they did, they did not stay there, I guess they walked away, they run pretty fast, I could not tell whether they ran both together or not or in what direction they ran, I went to the Station House and reported it, I halloed watch when they left me and they went in different directions. I said in the Station House that I was robbed, they were brought into the Station House about half an hour after. The man at the Station House at the desk asked me some questions and I could not tell anything about where they went to or how they looked, he did not ask me and I did not tell him, I saw them next morning in the Station House and I identified both of them right away, I identified Sullivan as the man who took the money out of my pocket, I did not get a penny of my money back, Sullivan was not searched in my presence nor was Mullen.

Cross examined. I live at 309 Delancy Street and was working on the 24th of July last in Broadway on the sub-way between Chamber Street and Park Row and was working there this morning. I was in Pell Street about seven weeks before the night this happened in Connolly's at the

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time my wife died. I paid lodging there for about six or seven weeks; I left off work on the 24th of July about six o'clock and I went into City Hall Place with a friend of mine, it was no drinking saloon, and from there I went across to Pell Street, I wanted to cross the Bowery to go home, this friend came along and parted with me at the corner, I came up through Pell Street and met these fellows; the shortest way to my home would be through Division Street, I live in Delancy St. between Broome and Rivington.

It is not a fact that I was in an intoxicated condition, I left my friend about twenty minutes to eight. I did not stand talking to any member of the female sex in Pell St. I did not apply at a house commonly called a bed house for admission with a woman that evening, I deny any such thing: when Mullen took hold of me first Sullivan was not far away he was within arms length of me. When I made complaint in the Station House about being robbed in Pell Street I stated that three men participated in the robbery, I said on my direct examination that there were two men but the third man went away and could not be found, the three men were standing there when I came up but I could not tell whether or not the third man took hold of me, the other fellow was watching for them, when I halloed he stood behind me, he was not more than two feet away from them.

Mullen put his hands around my neck and pulled me and Sullivan put his hand in my right pocket and took my money, I would not know the third man if I saw him now, for I was thunderstruck when I was caught. I told the Sergeant at the Station House that I was robbed by two young fellows, he did not ask me many questions, he did not ask me the

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color of their hair and I could not tell because it was night. I never was in a court-house in my life as much as five days and I am here forty years and I hope I never will be again. I had the money which Sullivan took from my pocket in my hand about half an hour before that but I do not recollect when I counted it last. I was shoved in a hallway by these two and I was grabbed inside the hall, I was shoved in off the street by Mullen and Sullivan, the three of them were together, pals; Mullen was the only man who struck me. I was on the street and Sullivan was close beside me and Mullen struck me on the head while I was in the street, Sullivan at that time did nothing until Mullen had put his hands around me, I was struggling and when I began to call for the officer I was shoved in the hallway and Sullivan took the money as soon as I got in the hallway, Sullivan helped Mullen to shove me into the hallway, I could not tell whether or not the third man helped them to shove me in, Sullivan had not left me at all until he put his hand in my pocket. I did not see the girl who is now pointed out to me that night; the girl and the man that ~~night~~ are now pointed out to me that night. I am not a drinking man but I had a glass of beer for my dinner.

Bridget Reilly sworn. I live at 11 Pell Street and remember the 24th of July in the evening, I saw the complainant, he came up from the corner store with a man and this boy (the defendant) was standing outside talking to me and he wants to blame this boy that it was him that robbed him, it was not him but one George Mullen and a fellow named Jim Connelly, this was at my own door at 11 Pell Street, Sullivan was standing talking to me and my

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sister and his uncle, I know him five or six years, he lives right next door to us, I am a friend of his and he is a friend of mine, I was standing there from seven till nine o'clock, I got two subpoenas to come here, one from the People and one from the Defendant.

Cross Examined. I remember being called to the Police Court by a subpoena issued by the Justice to attend the examination in this case, Officer Sullivan brought the subpoena, he asked me who committed the robbery and said Jim Connolly and George Mullen; I saw the complainant that night for the first time about a quarter to nine, he had a woman with him coming from the corner up Doyer Street, he went to 13 Pell Street, he came up to me and asked me did I know a man there whom he knew and then this boy George Mullen came up and took him into the hall of 13 and he was no sooner in before the man hallooed, "murder," at that time Sullivan was talking to me and my sister and to his uncle at 11 Pell Street, I said nothing at all, after that I saw the complainant coming out and George Mullen ran away down the corner, him and Jim Connolly, but this fellow Sullivan stood with my sister and I by the door, the complainant went down towards Mott Street, George Mullen and Jim Connolly went into the hallway, I know Mullen three years but do not know where he lives, I have known Sullivan about three years and Connolly only about six months, I never saw Connolly with Sullivan, he works every day; the complainant was at no. 13 about fifteen minutes, hollering in the hallway, and he stood about ten minutes outside before he went in. The complainant took Mullen and Connolly up on the corner and told Mullen how he

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changed a five dollar bill on the corner, I saw Mullen about ten minutes before he came up with the old man, Sullivan was not there at that time but came up ten minutes after when he heard the old man hallooing. I said on my cross-examination that the old man came up there while I was talking with Sullivan. Now you say that Sullivan came up about ten minutes after the old man came there? I mean ten minutes before the old man came there; I mean Jim Sullivan came up ten minutes before the old man came up and then Mullen came up with the man, about five or ten minutes after Sullivan came up, he got up from our door and looked in the hall to see what the old man was hallooing about. The complainant stopped at the door of 13 and made inquiry for some man, Sullivan was standing at my door about ten minutes before that and the complainant stood at the door of 13 for ten minutes, Mullen went upstairs looking for the man; he said, "is this the man you are looking for?" and he brought Connolly down, Mullen took the complainant up with him to show him the man, Mullen was standing at No. 11 before the complainant came up. Mullen had been there about ten minutes, he and Jim Connolly had been drinking a can of beer in the hall, the complainant spoke to Mullen first, Sullivan did not hear what he said because he was talking to my sister, Mullen and Connolly went in the hall and the complainant followed them immediately, I did not see them do anything to him but I heard the man holler when they got him inside the hallway, he was in the hallway about ten or fifteen minutes, the cries continued about ten or fifteen minutes in the hall; about two or three minutes after I heard the first

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cry I got up to look in there, Sullivan did not get up, I heard the man cry, "murder, watch, police", and he was all blood when he came out; the prisoner Sullivan sat down still and he went down to the corner and Officer O'Sullivan took him in; the defendant is no relative of mine and I am not engaged to be married to him; the complainant wanted to know if there was a man upstairs named Callahan and Mullen said "wait till I come down and I will show you where he lives." I told Officer O'Sullivan when he came up to where this thing occurred that it was George Mullen and Jim Connolly who committed the robbery and had the old man in the hallway; the complainant was pretty full, he came out of a lager beer saloon on the corner, staggering; this woman came around the corner and when she heard him halloo murder, watch, she ran around the corner, I don't know what woman that was, I never saw her before. Chinamen live in No. 11, I could not tell you all their names, I live on the second floor with my mother and father.

John O'Sullivan sworn. I am an officer of the 6th precinct and arrested the defendant on the 24th of July about half past eight in Pell Street, he was standing at the corner of Pell and Doyer Streets at the time I arrested him, there was several others there and I arrested Mullen at the same time, there was no young woman with him when I arrested him, I saw the complainant previous to this in Pell Street and he told me he was robbed and beaten, he got kicked in the ear and his ear was bleeding and his jaw kind of blue. I asked him who assaulted or robbed him, he said he did not know, I told him to look around

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and see if he could identify any of the parties that was present then as being implicated in it and he said no; Sullivan and Mullen were not present that time; the complainant went to the Station House and he made his complaint and the sergeant in charge sent a policeman with him, Officer Carroll, and during the time that he left me going to the Station House, I found out from this young woman Bridget Reilly, that he was robbed by George Mullen and I arrested Sullivan and Mullen, I arrested Sullivan because she told me he was on the lookout while the other two were robbing the complainant; I took him to the Station House and the complainant came in and identified both of them right away; the complainant was perfectly sober and had no smell of liquor upon him, I searched Sullivan and found nothing on him and also Mullen and found with him a few cents. The complainant did not give me a description of the men who had robbed him, he did not say anything about the height, complexion or general appearance of the men and it was simply upon the information that Bridget Reilly gave me I arrested Sullivan. I informed the clerk of the Police Court that Bridget Reilly would give testimony that would be of benefit to the People in this case and he thereupon issued a subpoena to serve upon her and she was brought into Court, he said I should bring her to have corroborative evidence of what the complainant said. I was not twice the length of this court-room from the place where the man claims he had been robbed at the time of the robbery, I just passed by there about eight o'clock, I passed 13 Pell Street a little while before the robbery and I saw Miss Reilly and her

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sister sitting at the door of No. 11 but I did not see the uncle or Sullivan, I see the uncle every night, he lives in Pell Street but I did not see him standing at the door just then.

James Sullivan sworn and examined in his own behalf, testified: I live at No. 9 Pell Street and am a machinist, I work at my trade for the New York Steam Co. I was last working for Thomas Daly in Pike Street, a truckman, I am out of his employ now for six weeks, I have been in the Tombs three weeks to-day, I remember the night of the 24th of July: from half past seven until I was arrested I only went from the corner of Doyer Street to the Bowery, I was sitting there with Miss Reilly and my uncle from about ten minutes to eight until this man made the complaint, I was sitting with Miss Reilly and her sister at No. 11 Pell Street, I first saw the complainant when he came up the street enquiring for some man at No. 13, Mullen and Connolly came up, I saw the complainant go into the doorway of 13 Pell Street, I saw Mullen and Connolly go in before him and after they had gone in I heard a noise, I heard this man halloo "murder, watch", I guess about ten or fifteen minutes, I saw Connolly after that when I was getting arrested but I did not see him or Mullen come out of the hallway, I saw the old man, the complainant come out, he went down opposite 22, toward Mott Street and I went up to my grandmother's house, No. 9, I staid there about five minutes and came down to the corner of Pell and Doyer where this man was still hollering in the middle of the street, he went away

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and I went in the liquor store, I was in the store about ten or fifteen minutes and I heard the sound of a policeman's club and I got up and walked out of the door of the saloon, I saw the policeman have Mr Mullen by the neck, I stood there and Officer O'Sullivan came along and passed me by, walked around the corner and came back again and he says, "I want you too", the other officer had Mullen and Officer O'Sullivan grabbed me and brought me to the Station House. I saw Mullen and Connolly that evening at the corner of Doyer and Pell Streets, I know Mullen as long as I can remember, I know Connolly about three or four years, I lived in Pell Street twenty years, I am twenty years of age. I did not in company with Mullen and the other man, take Ryan, the complainant, into this hallway and take \$11.50 from his trousers pocket, I did not lay my hands on the man, I did not help in any way to take his money from him. I have been arrested three times, twice for peddling merchandise without license and once for an assault upon Mr Reilly and I got discharged, I was never arrested for stealing or robbery.

Cross Examined. I have never been in prison under any sentence. I was in the company of Miss Reilly on this day in question about ten or fifteen minutes before the complainant came up, I am sure that Mullen came in his company and I think Connolly came up with him, I do not think the men were in the hall over two minutes before I heard the cry of "murder, watch", I did not know what to think of it, I sat just where I was, I was rather startled to hear such a cry, I heard the man holler "murder, watch, police", for about ten or fifteen minutes, I

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was not frightened, I could not say whether it was Mullen or anybody else was doing anything, I thought the best thing was to stay where I was, Mullen was a friend of mine, I went to school with him and I know Connolly about four years, I don't belong to any club or society, I never saw the complainant before. Didn't it occur to you hearing those cries in there and Mullen and Connolly friends of yours had gone in with the old man, it might be a proper thing for you to get up and call for the police? No sir, I talked with Miss Reilly and asked her what she thought that was right next door, I had not seen a policeman pass on his beat while I was standing there, I saw him about half an hour or twenty minutes before that going up towards the Bowery, I did not call for police or for assistance; it was Officer O'Sullivan that I saw pass after this occurred, I did not speak to him, he was on the other side of the street, my uncle and these two young ladies were with me; there was an old woman with the complainant, I saw him come out of no. 13 door, I saw a little scratch or something back of his ear, he said that he had been robbed, I saw Mullen after that standing on the corner when he got arrested, I did not see Mullen or Connolly come out of No. 13. When you heard the old man say that he had been robbed, did it occur to you that possibly Mullen might have done it or Connolly? No sir, other people might have been in there. When I first saw the complainant he was in front of No. 13 Pell Street in company with Mullen, Connolly and a woman.

John O'Connell sworn. I am a private watchman of four buildings in Pell Street and a lot of horses and

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trucks beside: I know the defendant Sullivan since he was a child and his character for honesty and peaceableness is good, I often sent him with two or three hundred dollars to the Bowery Bank and often sent him to pay my bill and never found anything wrong with him, I know he is an honest boy, I am no relative of his.

The Jury rendered a verdict of guilty of robbery in the first degree with a strong recommendation to the mercy of the Court.

Handwritten notes:
Sullivan
case
#3
Sullivan

Handwritten signature/initials

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35. filed Aug. 1885.

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THE PEOPLE

vs.

JAMES SULLIVAN.

COURT OF GENERAL SESSIONS, PART I.

BEFORE JUDGE MARTINE.

Wednesday, August 15, 1888.

Jointly indicted with George Mullen for robbery in
the first degree.

Asst. Dist. Atty. Davis for the People.

A Jury was empanelled and sworn.

WILLIAM RYAN sworn and examined.

By Mr. Davis. Q. Mr. Ryan, where do you live?

A. No. 309 Delancy Street.

Q. Do you remember the 24th day of July, 1888?

A. I do.

Q. Do you remember being in Pell Street that night?

A. I do.

Q. About what time was it? A. It was about eight o'clock.

Q. Do you remember seeing this defendant there at that time?

A. I do.

Q. Was he alone or somebody with him? A. He had Mullen
with him. (Mullen was brought out and exhibited to the
witness.)

Q. How long have you known Sullivan, this man here, this de-
fendant?

A. I identified him right away in the
Station House as soon as I seen him.

Q. Had you known him before that? A. NO.

Q. Had you ever seen him before that? A. Not to my
knowledge.

Q. Had you ever seen Mullen before that? A. No sir,

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not to my knowledge.

Q. Is that the man who was with him (pointing to Mullen)?

A. Yes sir, I am sure.

Q. At that time did you have any money in your pocket?

A. I had five dollars and three twos and a fifty cent piece.

Q. In silver? A. Yes sir.

Q. Where was it? A. In my right pocket here.

Q. Tell us what took place there? A. They got hold of me and caught me, one of them rapped me in the face very hard and in the ear and as soon as I halloood -----

By the Court. Q. Who rapped you in the face, do you know?

A. Mullen and as soon as I halloood watch, the more I would halloo watch the more he would hit me.

Q. How many blows did he strike you? A. He hit me three I think pretty hard, he gave me pretty hard knocks, I was all cut and black in the Station House.

By Mr. Davis. Q. Where was this? A. This was in Pell Street.

Q. Near what other street? A. Near Mott Street.

Q. Had you been talking to them before that? A. No, never spoke a word to the men.

Q. Were you walking along there? A. I was walking along there.

Q. Which side of the street were you on? A. I was on the right hand side going up towards the Bowery.

Q. Is that the upper or lower side of Pell Street?

A. On the lower side going towards Duvision Street.

By the Court. Q. Walking which way, east or west, north or south?

A. I was going on the way home.

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By Mr. Davis. Q. East or West? A. East.

Q. You were going east toward the Bowery? A. Yes sir, towards the Bowery.

Q. Were you alone at the time? A. I was alone.

Q. Which way were those two men going? A. Them two men were standing and as soon as I came across they went and put their hands around me.

Q. Where were they standing? A. In Pell Street.

By the Court. Q. How near the corner? A. Just about the same place they pulled me in in Pell Street.

Q. How far from the nearest corner? A. I could not tell you, not very far.

Q. Five houses or one house away? A. It was about four or five houses.

Q. Four or five houses away from the corner of what street? A. Corner of Mott Street.

By Mr. Davis. Q. They were standing there? A. They were standing there.

Q. Were they the only persons there? A. That is all I saw.

Q. You came up to them, did you? A. I did, walking along

Q. As ~~at~~ you got opposite them what did they do?

A. Clapped their hands round me and held me in that way.

By the Court. Q. Tell us who did that to you? A. Mullen and the other fellow went through me.

Q. Mullen did what? A. Clapped his hand around me, put his hand around me that way (illustrating), both hands, and squeezed me, both hands around my neck and two of them under the arm.

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By Mr. Davis. Q. How long did he have hold of you about?

A. That is more than I could tell you, the other fellow got through me and they let me go.

By the Court. Q. When Mullen had you in that position what happened, what was done?

A. Mullen was holding me and the other fellow had his hand in my pocket and took my money.

Q. Sullivan put his hand in your pocket? A. Yes sir.

Q. Which pocket? A. The right hand pocket down here.

Q. The right hand pocket of your pantaloons? A. Yes sir.

Q. What did he take? A. He took \$11.50.

Q. Did you see him take it, did you see the money in his hand?

A. I did not see the money in the hand, I am sure it was in my pocket, nobody took it only him, he went through me, he took my pocketbook.

By Mr. Davis. Q. While Mullen had hold of you did you see his face?

A. I did.

Q. Where did he stand, in front of you or behind you?

A. He was behind me, I seen the side of his face.

Q. That was Mullen? A. That was Mullen.

Q. Where was this defendant, in front of you or behind you?

A. In front of me.

Q. Did you see his face? A. I did, sir.

Q. Clearly? A. The same as I am looking at you.

Q. How long did all this take, about? A. I had no watch, I could not tell you, it did not take long to do so I guess.

Q. When they got your money what did they do? A. I do not know what they done after I went to the station house and reported it.

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Q. Did they stay right there? A. They did not, I guess they walked away.

By the Court. Q. Did they run or walk? A. Indeed they ran pretty fast.

By Mr. Davis. Q. They run very fast, did they both run together? A. I could not tell you that, what direction they ran.

Q. Did they both run in the same direction? A. No, I guess not.

By the Court. Q. You say they left you? A. I did.

Q. Which way were they going when you last saw them? A. One of them turned up this side, I halloed Watch, and they went in different directions.

By Mr. Davis. Q. You went to the Police Station to make a complaint? A. Yes sir, I said I was robbed.

Q. Did you go out to find these men? A. They were brought into the Station House.

By the Court. Q. How long were they brought in after you got there? A. About half an hour or aquarter of an hour.

By Mr. Davis. Q. When you went to the station house did you describe them to the officer? A. Certainly I described them as soon as I seen them.

By the Court. Q. Before you saw them with the officer did you describe these men to the officer? A. I did not.

By Mr. Davis. Q. Did not you tell the sergeant at the desk anything about how they looked? A. He did not ask me any questions, I told him I was robbed, he asked me some questions, I could not tell anything where they went to or how they looked.

Q. Did not you tell him how they looked? A. He did not ask me.

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By the Court. Q. You did not tell him? A. No, I did not.

By Mr. Davis. Q. When they came in half an hour after you saw them?

A. I did see them next morning.

Q. Did you see them when they came into the Station House?

A. Yes sir, I did.

Q. Did you identify them right away? A. I did, right away, I knew it was them.

Q. You knew both of them? A. Yes sir.

Q. Did you identify this man here, Sullivan? A. Yes sir.

Q. Is he the one that took the money out of your pocket?

A. He is the man that took the money out of my pocket.

Q. Did you get any money back? A. No sir, not a penny.

Q. Was Sullivan searched while you were there?

A. No, I never seen anything of it.

By the Court. Q. You were asked if this man Sullivan was searched in your presence?

A. He was not.

Q. Was Mullen searched? A. No, I did not pass no notice of them, it is the first time ever I was in a station house in my life or in a Court house, I hope it will be the last.

CROSS EXAMINED.

By Counsel. Q. You live at 309 Delancy Street? A. Yes sir.

Q. Were you working on the 24th day of July last? A. I was.

Q. Where were you working? A. I was working here in Broadway in the subway where I am working to-day, I was there this morning.

Q. In what portion of Broadway were you working? A. I was between Chambers Street and Park Row here, just at the Post Office.

Q. In the neighborhood of Chambers St.? A. Yes sir.

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Q Had you ever been in Pell Street before this night?

A. I was about seven weeks in Connolly's at the time my wife died I lodged there and paid my way.

By the Court. Q. Were you ever in Pell Street before?

A. I was.

By Counsel. Q. How long ago?

A. I did not keep an account of it, about two years or two years and a half, I could not tell.

Q. You lived there some time, didn't you? A. I did not, only I pay my lodging there for about six or seven weeks.

Q. What time did you leave work on this 24th day of July?

A. Six o'clock.

Q. And after you left your work at six o'clock where did you go?

A. I came across over to see a friend of mine I met down in Park Place or in City Hall Place and I went in with him and stopped with him.

Q. Where did you go in? A. I could not tell the number.

Q. Was it a drinking place, a saloon? A. No sir, it aint a saloon I went into where he lives.

Q. How long did you stop there? A. I did not stop very long.

Q. Fifteen or twenty minutes? A. I did, more.

Q. From there where did you go? A. From there I came across to Pell Street.

Q. Did you drink anything in your friend's house? A. No sir.

Q. Are you sure about that? A. I am sure of it.

Q. What brought you into Pell Street?

A. I was going across the way, I could get the nearest way into the Bowery going away home, he was along with me, this friend of mine came along all the ways until he parted

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with me at the corner, I came up through Pell Street and I met those fellows.

Q. The only explanation you have to give to this Jury of the reason you went through Pell Street is the fact that it was the shortest way home? A. Yes sir, it is the shortest way home through Division Street.

Q. Was it the nearest way home? A. Certainly.

Q. Where do you live? A. I told you before 309 Delancy Street, you have got it there.

By the Court. Q. Between what streets is that? A. Between Broome and Rivington.

By Counsel. Q. Do you mean to tell the Jury the nearest way to your house was going from City Hall Place through Pell St. A. What difference does that make?

By the Court. Q. Did you go that way for the reason it was the nearest way home? A. I did, yes sir.

By Counsel. Q. Do you not know that City Hall Place is in a direct line from your house? A. That made no difference, this comrade said, "come and spend some time with me."

By the Court. Q. Your friend went out with you from his house? A. Yes sir, he did not go very far, he left me on the corner of Pearl Street and I forget the name of the other street, it is near Chatham.

By Counsel. Q. Mr. Ryan just tell me how you came to get into Pell Street from the corner of Pearl and Chatham where you say you were left by your friend? A. Because it was on my way home.

Q. Tell me what streets you went to until you reached Pell St. A. I took up by the church there.

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By the Court. Q. What church, on what street? A. On Mott St.

I came up and then I turned into Pell Street.

By Counsel. Q. What streets did you go through before you reached the church in Mott Street? A. I could not tell you what you call that street no more than the man in the moon.

Q. Is it not a fact that on this day you were in an intoxicated condition? A. I was not.

Q. Why don't you tell us what street you went through, you left your friend in City Hall Place what time?

A. It was about half past seven I was talking with him on the corner.

By the Court. Q. What time did you finally leave him as near as you can judge? A. About twenty minutes to eight.

By Counsel. Q. You reached Pell Street in a manner you do not know? A. I did to my grief.

Q. How far did you get when this thing occurred, half a block? A. I went about four houses.

By the Court. Q. Before you met these men, do you mean? A. Yes sir.

By Counsel. Q. Did you stand talking to any member of the female sex in Pell Street? A. No sir.

Q. Did you apply at a house commonly called a bed house for admission? with a woman that evening? A. No sir, I deny it, no such thing. When I was a young man I was not a great favorite with them.

Q. When was it that you first seen Sullivan after entering Pell Street? A. I seen him as soon as he got hold of me and went through me ----- Mullen got hold of me first and then Sullivan put his hand around me.

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Q. When Mullen got hold of you first where was Sullivan?

A. He was not far away behind me when he grabbed his hand.

Q. About how far away?

A. He was in arms length of me.

Q. Was he behind you or in front of you?

A. He was be-

hind me.

Q. When you made this complaint in the station house Mr. Ryan about being robbed in Pell Street this night, how many men did you state participated in that robbery?

A. At the station house, three men.

Q. Three men?

A. Yes sir.

Q. Do you know who the third man was?

A. I could not

tell you more than this, if I seen him -----

Q. You said on the direct examination in answer to the District Attorney's question, that there were but two men.

A. Certainly there was but two men but the other man went away, he could not be found, the third man was there.

Q. You want this Jury to understand that the three men were actually engaged in robbing you?

A. There are the

two men that I seen that robbed me, the third man he was there, I could not tell what was done.

By the Court. Q. Did he take hold of you?

A. I could not

tell whether he did or not.

Q. Did he do anything at all to aid or assist Sullivan and Mullen?

A. The three were standing.

Q. Standing together when you came up?

A. Yes sir, Mul-

len got hold of me and Sullivan went through me, the other fellow was watching for him; when I halloed "watch", he stood behind me when I was taken hold of by them, he was not more than two feet away from them.

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Q. How near was he to you at the time you say Sullivan took your money? A. He was just beside the door, I could not tell how many yards, about four or five feet.

By Counsel Q. Mr. Ryan, you said in your direct examination that Mullen came behind you, put his arms under your arms and grabbed you around the body, is that right?

A. Yes sir, he put the hands around my neck and pulled me and Sullivan put his hand in my right pocket and took my money.

Q. Could you identify that third man who was there?

A. I would not.

By the Court. Q. Would you know him if you saw him now?

A. I would not.

By Counsel. Q. You do not know what his general appearance is?

A. No, for I was thunder struck when I was caught.

Q. After you went to the Station House what did you say to the Sergeant when you got there?

A. I said I was robbed in Pell Street.

Q. What else?

A. That was all.

Q. Did the Sergeant ask you to give a description of the men who robbed you, what they looked like?

A. I told ^{him} ~~them~~ they were two young fellows.

By the Court. Q. Did he ask you?

A. He did not ask me much

questions.

Q. You told him that they were two young fellows?

A. Yes sir.

By Counsel. Q. Did he ask you what colored hair they had?

A. He did not, I could not answer that question what color hair, it was night.

0190

Q. Still without you giving any description of the two men who robbed you the police in about half an hour afterwards brought in these two parties which you identified as having robbed you? A. Yes sir.

Q. Have you ever been convicted of any offence?

A. I never was in a court house in my life as much as five days and I am here forty years, I hope I never will be again.

Q. When did you see your money last before you saw Sullivan take it from your pocket? A. I had it in my fist about half an hour before that.

Q. And where were you when you had it in your fist?

A. I was walking the street looking at it, I was carrying \$11.50 in my pocket, I had it in my pantaloons pocket I had it in my hand and stuck my hand in my pocket.

Q. When before that did you count your money to see how much you had? A. I did not count it very often.

By the Court. Q. Do you recollect? A. I do not.

By Counsel. Q. Well now, I want you Mr. Ryan to tell me exactly what portion of Pell Street that you say you were robbed in was it nearer Mott Street than it was the Bowery or was it nearer the Bowery than Mott Street?

A. It is nearer to Mott Street.

Q. Were you dragged in the hallway? A. I was dragged in the hallway, shoved in.

By the Court. Q. How many dragged you? A. There is two.

By Counsel. Q. Then you were not grabbed in the manner you have stated? A. I was grabbed inside the hall --- well, caught.

Q. What were you doing in the hallway? A. What would

0191

you be doing if you were shoved in in spite of yourself?
I was shoved in the hallway.

Q. You said a few moments ago that you were going up Poll Street and that Mullen suddenly grabbed you and held up your hand in the manner you have described, his arm around your neck so you could not use your hands and Sullivan took your money from your pocket, now you say you were pushed in the hallway and your money was taken from you?

Objected to.

Q. Now Mr. Ryan will you kindly inform the Jury whether this robbery occurred in the street as we inferred from your testimony before or did it occur in the hallway?

A. It occurred in the hallway.

By the Court. Q. And not in the street? A. Not on the street, I was shoved in off the street.

Q. Who shoved you in the hallway? A. Mullen and Sullivan.

Q. Did the other man take any part in shoving you in?

A. The three of them was together.

Q. Did the other man touch you? A. Yes sir, he did, the three of them was together, they were just pals.

By Counsel. Q. You say before that Mullen came up and seized you in the manner you have stated and now you say that Mullen and Sullivan aided by this other man who has not yet been arrested threw you into this hallway and there robbed you, which is true?

A. I could you before and I will tell you again that Sullivan and Mullen went through me and the other fellow was along with them and the first thing when I halloed watch, I got a clout across here and two or three knocked me most stupid.

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By the Court. Q. Who hit you? A. It was Mullen.

Q. Mullen was the only man that struck you? A. That is the only man I blame for striking me.

By Counsel. Q. You have not yet answered my question, you said a few moments ago that Mullen came behind you and seized you in the manner which you described to the Jury, that Sullivan then while you were held in that manner put his hand into your left pantaloons pocket and abstracted your money now on cross-examination you say that Mullen and Sullivan and this unknown man seized you and threw you into this hallway and there robbed you, which is true, the story you told first?

A. I told you that Sullivan went through me and Mullen clapped his hand and caught me and he went through me and after getting two blows on the ear my ear was all black and the side of my head, I was most senseless and I was surprised, I could not give you anything more.

Q. When you were struck were you in the hallway?

A. No, I was dragged in.

By the Court. Q. What time elapsed between the time that Mullen came up to you and struck you and the time that Sullivan took your money, how much time as near as you can estimate it?

A. It was hardly two minutes.

Q. You were on the street and Sullivan was close beside you?

A. Yes sir.

Q. Then Mullen struck you, did he, on the street, struck you on the head while you were in the street? A. Yes sir.

Q. Sullivan at that time did nothing until Mullen had put his hands around you, is that right? A. That is right.

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Q. Where were you on the street or in the hallway when Mullen put his hand around you? A. I was struggling around --- when I began to call for the officer I got in the hallway.

Q. Was Mullen doing anything? A. He had his hand around me.

Q. All the time while you and he were struggling?

A. Yes sir, I was shoved in the hallway.

Q. While you were on the sidewalk or while you were in the hallway, when was it that Sullivan took the money?

A. He took the money in the hallway as soon as he got me inside.

By Counsel. Q. Did Sullivan aid Mullen in throwing you into this hallway? A. As soon as he put his hand around me --

By the Court. Q. Answer that question, did Sullivan help Mullen to push you into the hallway? A. He did.

By Counsel. Q. Did the unknown man help Sullivan and Mullen in pushing you into this hallway? A. I could not tell you whether he did or not.

Q. Tell us whether Sullivan did so or not? A. I say Sullivan did, Sullivan and Mullen.

Q. Where was Sullivan standing when you were pushed in this alleyway? A. He was standing by my side, he put his hands around me or my money would not be gone, he stuck his hand in my right pocket here and just took my money.

Q. He did not stick his hand into your right hand pantaloons until he got you in the hallway? A. Yes sir, just in the hallway.

By the Court. Q. Before the time that Sullivan put his hand in

0194

your pocket had he left you at all? A. No sir.

Q. The first time he touched you was when he put his hand in your pocket, is that it? A. That is it, as soon as he did Mullen came around me.

By Counsel. Q. What do you mean by telling the Jury that Sullivan and Mullen and this unknown man shoved you in the hallway?

A. They did it in the hallway.

Q. Did you see that girl there that night? (Pointing to the girl in Court.) A. I did not, I never saw her in my life to my knowledge.

Q. Did you see that man there that night? (Pointing to a man in Court.) A. No sir, I never seen him.

By the Court. Q. Did you ever see that man before to-day?

A. Not to my knowledge.

By Counsel. Q. Now as the court has said you are a pretty old man, do you mean to tell this Jury that when you entered Pell Street that night you were sober? A. Certainly I was.

Q. And you mean to tell this Jury that while you were in Pell Street that night you did not in company with a woman, apply to a house of assignation for admission?

A. No sir.

By the Court. Q. Had you been drinking anything that day?

A. No, Judge, because I am not a drinking man, I had a glass of beer for my dinner and I worked up to six o'clock.

Q. Up to the time you got to Pell Street except to take a glass of beer at your lunch, you did not drink anything with your friend? A. No sir, nor with my friend either.

0195

BRIDGET REILLY sworn and examined.

By Mr. Davis. Q. Where do you live? A. I live No. 11 Pell St.

Q. Do you remember the 24th of July, 1888? A. Yes sir.

Q. In the evening of that day, do you remember that time?

A. Yes sir.

Q. And at that time did you see the last witness who was on the stand, Mr. Ryan? A. Yes sir.

Q. Where was he? A. He came up from the corner store with a man and this boy (the defendant) was standing outside talking to me, and he wants to blame this boy that it was him that robbed him; it was not him but one George Mullens and a fellow named Jim Connolly.

Q. You tell just what took place where you were standing?

A. At my own door at 11 Pell Street.

Q. And where was this man standing, Sullivan? A. He was standing talking to me and my sister and his uncle.

Q. How long have you known him? A. I know him about five or six years.

Q. And does he live there? A. He lives right next door to us.

Q. Are you a friend of his and is he a friend of yours?

A. Yes sir.

Q. How long had you been standing there? A. I was standing there from seven o'clock until nine.

Q. How many subpoenas did you get to come here?

A. I got two.

Q. One from the People? A. Yes sir.

Q. And one from this defendant? A. Yes sir.

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CROSS EXAMINED.

By Counsel Q. What did you say your name was?

A. Bridget Reilly.

Q. Miss Reilly, do you remember being called in answer to a subpoena issued by the Justice in the Police Court to attend the examination in this case?

A. Yes sir.

Q. And who served that subpoena on you?

A. Mr. O'Sullivan.

Q. The officer in this case?

A. Yessir.

Q. Mr. O'Sullivan stated at the Police Court, did he not, that you were the one who gave him the information as to this robbery?

A. He asked me who was it and I said Jim Connolly and George Mullen.

Q. You were brought to the Police Station, I mean the Police Court?

A. Yes sir.

Q. Not by the defendant?

A. NO.

Q. But by the police officer?

A. Yes sir.

Q. You testified in the Police Court to the same facts?

Objected to.

Q. Did you testify in the Police Court?

Objected to.

Q. On this 24th day of July you say you were at your door from seven o'clock in the evening until nine?

A. Yes sir.

Q. And when for the first time did you see the complainant, the old man that was on the stand a moment ago?

A. It was about a quarter to nine.

Q. A quarter to nine in the evening?

A. Yes sir.

Q. What did he say or do the first time you seen him?

No answer.

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By the Court. Q. Was he alone when you saw him? A. No, he had a woman with him going from the corner up Doyer Street.

By Counsel. Q. Up to Pell Street? A. Yes sir, up to Pell St.

Q. What did you see him do? A. Now when George Mullen--

By the Court. Q. How far did he go with that woman? A. He went to the door of No. 13 Pell Street.

By Counsel. Q. To the door of 13 Pell Street do you mean?

A. Yes sir.

By the Court. Q. What next? A. And then he came up and asked was there a man here that I knew.

Q. He came where? A. Up to No. 13 Pell Street and he asked me did I know a man.

Q. You heard him ask that did you? A. Yes sir, and then this boy George Mullen came up and he took him into the hall of No. 13 and he was not in there long before the man hallooed "murder".

Q. Where was Sullivan at this time? A. Sullivan was talking to me and my sister and to his uncle at No. 11 Pell Street, while this man was halloeing murder.

By Counsel. Q. After that what did you see? A. I did not see nothing at all.

Q. Did you see the complainant after that? A. No sir, I seen him coming out and then George Mullen ran away down the corner, him and Jim Connolly but this fellow (Sullivan) stood with my sister and I by the door.

Q. You saw Mullen and this other man run away? A. Yes sir,

Q. And all this time while the complainant was in the hallway of No. 13 Pell Street and when you heard the cries of murder until you seen Mullen and this other man running down

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Pell Street this boy Sullivan was standing talking to you and your sister and his uncle? A. Yes sir, he was sitting talking to me and my sister and his uncle at the door.

Q. Did the complainant come out of the hallway then?

A. Yes sir.

Q. He passed you and went down towards Mott Street?

A. He went down towards Mott Street.

By the court. Q. How many people went into that hall?

A. There was two fellows went into the hall.

By Mr. Davis. Q. Who were they?

A. George Mullen and Jim

Connolly.

Q. How long have you known George Mullen?

A. I know

George Mullen three years.

Q. Where does he live?

A. I could not tell you where he

lives.

Q. How long has Sullivan known Mullen?

A. I could not

tell.

Q. About how long?

A. About two or three years.

Q. And Jim Connolly, how long have you known him?

A. I do not know him only about six months.

Q. How long has Sullivan known him?

Objected to.

A. I could not tell.

Q. Now how often have you seen Sullivan with Connolly talking to him?

A. I never saw Jim Connolly with Sullivan, he works every day.

Q. How long was the old man there at 13?

A. He was about

fifteen minutes in the hallway when he was hallooing.

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- Q. And how long did he stand outside before he went into the hallway? A. He stood about ten minutes.
- Q. That makes twenty-five minutes in all? A. Yes sir.
- Q. Now when the old man got up there you were there standing, were you not? A. Yes sir.
- Q. And this defendant was there, Sullivan? A. Yes sir.
- Q. Was Mullen there at that time? A. No, he took Mullens and Connolly up in the corner with him, this old man, he told him he should change a five dollar bill on the corner.
- Q. When had you seen Mullen before he came up with the old man how long before that? A. About ten minutes before that.
- Q. Ten minutes before the old man came up and Mullen had been in No. 13 hall? A. Yes sir.
- Q. And was Sullivan there at that time? A. No sir.
- Q. When did Sullivan come up? A. About ten minutes after that he came up.
- Q. Ten minutes after the old man came there? A. Yes sir, when he heard the old man hallooing.
- Q. Did not you just say that you were standing there, did not you say on your cross-examination that the old man came up there while you were talking with Sullivan, this Defendant?
- By the Court. Q. Did you or did you not say that? A. Yes sir.
- By Mr. Davis. Q. Now you have just said that Sullivan came up after the old man was hallooing? A. When he heard the man halloo he went up to No. 13 hallway.
- Q. You said on your direct examination that Sullivan was there talking with you when the old man came up, did not you say so? A. Yes sir.

0200

Q. Now you say that Sullivan came up about ten minutes after the old man came there? A. I meant ten minutes before the old man came there.

Q. Well now, if he came ten minutes before the old man came Mullen came ten minutes before the old man? A. No, Mullens came up with the man, him and Jim Connolly.

Q. Haven't you just said that Mullen came up ten minutes before the old man came, did not you say that, did not you say that Mullens came up ten minutes before the old man came? A. I mean Jim Sullivan came up ten minutes before the old man came up and then Mullen came up with the man.

By the Court. Q. How long after Sullivan? A. About five or ten minutes after Sullivan came up.

B. Mr. Davis. Q. When did Sullivan come up, ten minutes before the old man came? A. Yes sir.

Q. Then why did you say, Bridget, that Sullivan came up when the old man was halloeing in the hall? A. He got up from our door and he looked in the hall to see what the old man was halloeing about.

Q. Now did not you say that Sullivan came there at 11 Pell St. after the old man began to holloo and ten minutes after he had been in the hall, did not you say that?

Objected to.

Q. I draw your attention to a statement which I understand you made to the officer that Sullivan, this defendant, came up to 11 Pell Street while the old man was in the hallway and had been there ten minutes while he was halloeing, did you say that on your direct examination? A. Yes sir.

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Q. Now is that correct or is it incorrect?

A. It is correct.

Q. That is correct?

A. Yes sir.

By the Court. Q. You were standing in front of No. 13 when the old man came along?

A. Yes sir.

Q. Who was with you when you were standing there? A. Nobody only my sister and that boy's cousin.

Q. What boy's cousin? A. Sullivan.

Q. What is his name? A. Tom Sullivan.

Q. You were standing there with these people when the old man came along, were you? A. Yes sir.

Q. You say he had a woman with him? A. Yes sir.

Q. Was anybody else with him? A. No sir, only Connolly and Mullens, he stopped at No. 13 door.

Q. And made inquiry for some man? A. Yes sir.

Q. Where was Sullivan when he made this inquiry?

A. He was standing at my door.

Q. How long had he been there? A. About ten minutes before that.

Q. The old man had been standing at No. 13 during the ten minutes? A. Yes sir. Mullen went upstairs to look for the man; he said. "is this the man you are looking for."

Q. He brought the other man down with him, is that Connolly that you speak of? A. Yes sir.

By Mr. Davis. Q. How long after the old man was there did Mullens come up to No. 11 Pell Street? A. He took the old man up with him, Mullens did.

By the Court. Q. Now Mullens was not there when the old man first came?

A. He took Mullens up with him to show the

man.

0202

Q. When the old man first came was Mullen there?

A. Yes sir.

Q. Where was he? A. Standing at 13 door.

Q. So that Mullens was there while you were standing at No. 11, is that it, and before the old man had come?

A. Yes sir.

Q. And when the old man came Mullen was still there?

A. Yes sir.

Q. It was of him the old man made this inquiry? A. Yes sir.

By Mr. Davis. Q. How long had Mullens been there when the old man arrived? A. About ten minutes, he was drinking a can of beer in the hall, him and Jim Connolly.

Q. Have you not stated that Mullen and this man came up to No. 11 Pell Street with the old man? A. No sir.

Q. You did not state that? A. No sir.

Q. How far from No. 11 Pell Street is No. 13? A. Right next door.

Q. Any railing or anything to divide it? A. No sir.

Q. Who was the first person to whom Ryan the old man spoke? A. To this Mullen he spoke.

Q. And did you hear what he said? A. Yes sir.

Q. Did you hear and did you know whether Ryan heard what he said or whether Sullivan heard what he said?

A. No, Sullivan did not hear what he said.

By the Court. Q. How do you know? A. Because he was talking to my sister and could not hear.

Q. Sullivan was just as near as you were? A. Yes sir.

By Mr. Davis. Q. How do you know if he heard? A. I could not tell you whether he heard it or not.

Q. How far away was Sullivan at that time from Ryan, the old

0203

man? A. About that far away from No. 13. (Illustrating.)

Q. About a foot and a half away from 13? A. Yes sir.

Q. Mullen then went into the same house? A. Mullen went into No. 13 hall.

Q. And that left Ryan outside? A. He left Ryan outside and then he came down again.

Q. He left you outside of No. 11 and left Sullivan outside?
A. Yes sir.

Q. Where was Connolly? A. Connolly was inside with George Mullen in the hall; he went in with George Mullen, they went in before Ryan, Ryan followed them in after immediately.

Q. He went immediately in? A. Yes sir.

Q. Now did you see Mullen or Connolly do anything to Ryan?

A. No, I did not see, but I heard the man halloo when they got him inside in the hallway.

Q. How long had he been in the hallway? A. About ten or fifteen minutes, I was outside my own door when I heard the man halloo, I got up and looked in.

Q. Who was there? A. Nobody only Mr. Sullivan and his uncle and my sister.

Q. Was the uncle there when you heard the yelling?

A. Yes sir.

Q. What did you do? A. I got up to look to see who it was, I sat down again, Sullivan asked the man what was the matter and he would not tell him.

Q. How long did these cries continue in the hall?

A. About ten or fifteen minutes in the hall.

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Q. Now how long after you heard his first call did you get up to look in there? A. About two or three minutes after.

Q. And did Sullivan get up too? A. No sir.

Q. He sat there, did he? A. He sat down.

Q. He did not get up at all, he was talking to your sister.

A. Yes sir, him and his uncle and my sister were sitting down.

Q. What were the cries the old man uttered?

A. I heard him cry, "murder, watch, police", and he was all blood when he came out.

Q. Sullivan sat there all through? A. Yes sir.

Q. And what did Sullivan do when the old man went away?

A. He sat down still and he went down to the corner and Mr. O'Sullivan took him in.

Q. The officer took him in? A. Yes sir.

Q. Is this Sullivan here any relative of yours?

A. No sir.

Q. Are you engaged to be married to him? A. No sir.

Q. Is he your company, does he call on you? A. No sir.

By the Court. Q. What did Ryan say when he came up to the door of 13? A. He wanted to know was there a man upstairs of the name of Callahan; and then Mullen said, "wait till I come down and I will show you where he lives."

Q. That is all the conversation that time? A. Yes sir, that is all.

By Counsel. Q. Now Miss Reilly, when Officer O'Sullivan came up to where this thing occurred, did you inform him who it was that committed this robbery? A. I told him it was George Mullen and Jim Connolly.

0205

Q. Who committed the robbery and had the old man in the hallway?
A. Ys sir.

Q. What was the condition of Mr. Ryan at the time you seen him that night, was he drunk or sober? A. He was pretty full, he came out of a lager beer saloon on the corner.

Q. Was he staggering? A. Yes sir.

By a Juror. Q. You say he came out of a lager beer saloon?
A. Yes sir.

Q. Was this woman with him when he came out of the lager beer saloon? A. This woman came around the corner and when she heard him halloo, "murder, watch", she ran around the corner.

By Mr. Davis. Q. What woman was that? A. I do not know.

Q. Did you ever see her before? A. No sir.

By the Court. Q. You say you saw him coming out of the saloon?
A. Yes sir, on the corner.

By Mr. Davis. Q. What kind of a house is No. 11 where you live, a decent house? A. No, Chinamen live in it.

Q. In No. 11 where you live? A. Yes sir.

Q. What Chinamen? A. I could not tell you all their names, I live on the second floor.

Q. With whom? A. With my mother and father.

Q. How many Chinamen live there?

Objected to. Objection overruled. Exception.

A. It is all Chinamen.

Q. Do some Chinamen live next door, No. 13?

Objected to. Objection overruled.

A. Yes sir, there is two Chinamen living there.

0206

JOHN O'SULLIVAN sworn and examined.

By Mr. Davis. Q. What precinct, Officer, are you attached to?

A. The 6th precinct.

Q. Did you arrest the defendant in this case, Sullivan?

A. Yes sir.

Q. On what day? A. The 24th of July.

Q. And what time of day was it? A. It was about half past eight when I arrested him.

Q. Where was it? A. In Pell Street.

Q. What number? A. Well, he was standing at the corner of Pell and Doyer Streets at the time I arrested him.

Q. Who was with him? A. O, there was several others there and I arrested Mallon at the same time too.

By the Court. Q. Was this young woman with him at the time you arrested him? A. No sir.

By Mr. Davis.

Q. Upon whose complaint did you arrest him? A. Mr. Ryan I saw previous to this and he told me he was robbed and beat, he got kicked in the ear and his ear was bleeding and his jaw kind of blue; I asked him -----

Q. Where was this that you met him? A. In Pell Street.

By the Court. Q. Are you the officer on post there, he came to you and made a complaint? A. Yes sir.

By Mr. Davis. Q. Go ahead? A. And I asked him who assaulted and robbed him? He said he did not know; I told him to look around and see if he could identify any of the parties that was present then as being implicated in it. He said no.

Q. Was Sullivan present at that time? A. Not that time.

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Q. Was Mullen? A. I did not see Mullen there then; he went to the Station House, Ryan did, and he made his complaint in the Station House and the sergeant who had charge sent a man with him, a policeman with him.

By the Court. Q. You do not know about that, you were not there.

A. No sir, the man came with him.

Q. You saw that? A. Yes sir.

Q. Now tell about that? A. And he said -----

Q. Was he an officer? A. Yes sir, a policeman.

Q. The officer came back with him. A. Yes sir, Officer Carroll.

Q. What then happened? A. He said, "this man claims he was robbed here, and during the time that he left me going to the Station House I found out from this young woman Bridget Reilly, that he was robbed by George Mullen.

By Mr. Davis. Q. You found out that somebody had robbed him from this woman Bridget Reilly? A. Yes sir, and I arrested these two men.

Q. Whom did you arrest? A. Sullivan and Mullen.

Q. Why did you arrest Sullivan? A. Because she told me he was on the lookout while the other two was robbing him.

Q. Well, go on? A. I took him to the Station House and the old man there Ryan came into the Station House and he identified both of them.

Q. Right away? A. Yes sir.

Q. Jullen and Sullivan? A. Yes sir.

Q. Now you saw him after he had gotten his head and his ear cut? A. Yes sir.

Q. What was his condition as to sobriety then? A. The man was perfectly sober.

0208

Q. You did not smell any of the fumes of liquor about him?

A. No sir.

Q. Well, did you search Sullivan?

A. I did, sir.

Q. Did you find anything on him?

A. No sir.

Q. Did you search Mullen?

A. I did, sir.

Q. Did you find anything on him?

A. Only a few cents,

that is all.

CROSS EXAMINED.

My Counsel. Q. At the time you saw the complainant first and he stated to you that he had been robbed, did he give you a description of the men who had robbed him?

A. No sir.

Q. Did he say he could identify them?

A. He looked hard

and he said he could not see them now.

Q. He did not say anything about their height, complexion or general appearance?

A. No sir.

Q. And it was simply acting upon information you say which Bridget Reilly gave you that you arrested Sullivan?

A. Yes sir.

Mr. Davis: That is our case.

THE CASE FOR THE DEFENCE.

Counsel: I move to dismiss, if your Honor please.

The Court: I will not.

JOHN O'SULLIVAN recalled by Counsel.

Q. Officer, when you arraigned the prisoners at the bar in the Tombs police Court, you informed the justice that was presiding that this Bridget Reilly had given you information that would be of benefit to the People in this case, did you not?

A. The Clerk asked me how I came to make

0209

the arrest.

Q. You informed the Justice that she could give testimony that would be of benefit to the People in this case and he thereupon issued a subpoena to serve upon her?

A. I did, yes sir.

Q. You served a subpoena upon her and she was brought into court at the examination? A. Yes sir.

By Mr. Davis. Q. And is it a fact that you told the Clerk that Bridget Reilly could give information that would be valuable to the People? A. He said I should bring

her to have corroborative evidence of what this man said.

Q. You had already spoken to Bridget Reilly the night before?

A. Yes sir.

Q. Did you mean that she should give valuable information in the case against both these defendants, Sullivan and Mullen? A. Yes sir.

Q. And you got the information, did you, from her, you heard it from her own lips? A. Yes sir, I did.

By the Foreman. Q. I would like to ask the Officer whether a person could scream murder, police, for fifteen minutes, whether he was absent that long from his post, that a person attacked could halloo murder fifteen minutes without his knowledge or hearing? A. No sir, I was about not twice the length of this court-room from the place where this man claims that he was robbed.

By the Court. Q. At the time of the robbery? A. Yes sir, about eight o'clock.

Q. At that time how long were you there? A. I just passed by about eight o'clock.

02 10

Q. About the length of this court-room away? A. Yes sir,
not about twice the length of it.

By Counsel. Q. Pell Street is a space of only two blocks?

A. Yes sir, about forty numbers, that is about the highest number I think 33 or 38 is the highest.

By the Court. Q. Where does Pell Street run from? A. From
the Bowery to Mott Street, the numbers commence at the
Bowery and I was on the corner of Bowery and Pell Street
and this happened at No. 13.

By Counsel. Q. And this happened nearer the Bowery than it did at
Mott Street? A. Certainly, it happened between

Doyer, Doyer Street runs around from Pell to the Bowery;
there is only about eighteen or twenty numbers in Doyer St.

Q. How far from Mott Street where this robbery took place,
about one hundred and fifty feet? A. Yes sir.

Q. It is only about twenty feet from the Bowery?
A. Oh, it is a hundred feet from the Bowery.

By the Court. Q. That is No. 13 Pell Street? A. Yes sir, I
think more than a hundred feet.

By Mr. Davis. Q. Officer, you say you had passed that place a little
while before? A. Yes sir.

Q. Did you see anybody out in front of No. 11 Pell Street?
A. I saw Miss Reilly and her sister sitting at the
door at No. 11.

Q. Did you see this man Sullivan? A. I did not.

By a Juror. Q. Did you see the uncle? A. I did not, I see
him every night, he lives in Pell Street.

By Counsel. Q. You know the uncle, do you not? A. Yes sir.

Q. Was he standing at the door? A. No, I did not see him

0211

standing at the door just then.

Q. Did you see the old man when you passed 11 or 13?

A. No sir, I did not.

By the Court. Q. Did you see the old man that night until he made the complaint to you?

A. No sir, I did not.

JAMES SULLIVAN sworn and examined.

By Counsel. Q. Where do you live?

A. No. 9 Pell Street.

Q. What is your business?

A. Machinist.

Q. Machinist?

A. Yes sir.

Q. Where do you work?

A. I did work at my trade at the

New York Steam Company.

Q. Where were you last employed and by whom?

A. By Thomas Daly.

Q. Thomas Daly?

A. Yes sir.

Q. And where does he keep?

A. In Pike Street.

Q. What is his business?

A. Truckman.

By the Court. Q. When did you leave his employ?

A. I am out

of his employ now for six weeks.

By Counsel. Q. Six weeks?

A. Yes sir.

Q. How long have you been in the Tombs?

A. I am there

three weeks to-day.

Q. Now do you remember the night of the 24th of July last?

A. I do, sir.

Q. Tell the jury exactly what you did from half past seven and where you were on that evening until you were arrested?

A. I did not go only from the corner of Doyer Street to the Bowery there, that is all the distance, I was

0212

sitting there with Miss Reilly and my uncle.

By the Court. Q. From what time?

A. I was sitting there

with them about twenty-five minutes.

Q. From what time, when did you get there?

A. From about ten minutes to eight.

Q. Down to what time?

A. Until this man made the com-

plaint.

By Counsel. Q. You say that from ten minutes past eight, if I
rightly understand you, until the time this man made the
complaint, you were sitting with Miss Reilly at No. 11 Pell
Street and her sister, is that right?

A. Yes sir.

Q. Did you see that old man that night, Mr. Ryan?

A. Yes sir, I did.

Q. When did you first see him?

A. When he came up the

street inquiring for some man at No. 13.

Q. Well, what happened after that?

A. Those two men

came up, Mullen and Mr. Connolly; that is all I know about
it, I don't know, I just heard the man halloo.

Q. Mullen and Connolly came up?

A. Yes sir.

Q. Did you see the man go into this entryway, the doorway of
13 Pell Street?

A. Yes sir.

Q. Did you see anybody else go in?

A. Not with him, I

seen people go in before him.

Q. Who were they?

A. Mr. Mullen and Mr. Connolly.

Q. After they had gone in did you hear any noise?

A. Yes sir.

Q. What did you hear?

A. I heard this man halloo "murder,
watch."

Q. How long did he scream that?

A. I guess about ten or

fifteen minutes.

02 13

Q. Did you see the man Connolly after that?

A. I did, yes sir.

Q. When did you see them next?

A. When I was getting arrested.

Q. Did you see them come out of that hallway at all after you heard these cries of "murder and watch" ?

A. No sir.

Q. Did you see the old man, the complainant, come out?

A. Yes sir.

Q. After he came out in which direction did he go?

A. He went down right opposite 22 Pell Street towards Mott Street.

Q. And where did you go after that?

A. I went up to my grandmother's house.

Q. Where does she live?

A. No. 9.

Q. How long did you stay there?

A. O, I stayed there about five minutes.

Q. And after you left your grandmother's house where did you go?

A. I came right down to the corner of Pell and Doyer Streets where this man was still hallooing.

Q. Where the complainant was standing?

A. Yes sir, right in the middle of the street he was standing, hallooing then.

Q. Then what happened?

A. He went away and I went into the liquor store, I guess I was in the store about ten or fifteen minutes, I just sat there and I heard a sound like the sound of a policeman's club and I got up and I walked out to the door of the saloon.

Q. It was the rapping of the club then that brought you out?

A. Yes sir, I saw when I got out the policeman have Mr. Mullen by the neck and I stood there; Mr. Sullivan came along and passed me by and walked around the corner, he came

02 14

back again; he says, "I want you too"; the other officer had Mullen, Officer O'Sullivan had nobody, he walked past me, he grabbed me, he came back again and said, "I want you too."

Q. And brought you to the Station House? A. Yes sir.

Q. Now did you see Mullen or Connolly that evening before?
A. Yes sir, I did.

Q. Where did you see them? A. I saw them at the corner of Doyer and Pell Streets.

Q. Have you known Mullen very long? A. Yes sir.

Q. How long? A. As long as I can remember.

Q. Does he live in that street? A. Yes sir.

Q. How long do you know Connolly? A. I know Connolly about three or four years.

Q. How long have you lived in Pell Street? A. I have lived there twenty years.

Q. How old are you? A. Twenty years of age.

Q. Now Sullivan did you in company with Mullen and this other man take Ryan into this hallway and take \$11.50 from his trousers pocket?
A. No sir.

By the Court. Q. Or any other money from his trousers pocket?

A. No sir, I did not lay my hands on the man.

By Counsel. Q. Did you aid or help them in any way to take his money from him?
A. No sir, I did not, I did not know what was going on at all.

Q. Have you been arrested? A. Yes sir.

Q. How often? A. Three times.

Q. Three times? A. Yes sir.

Q. What was the first time? A. Peddling merchandise without a license.

02 15

Q. What was the second offence? A. The same thing.

Q. The same thing? A. Yes sir.

Q. That is you mean you were peddling along the streets with one of these hand wagons? A. No sir, the second was when I was arrested on Mrs. Reilly's complaint.

By the Court. Q. For peddling? A. No sir, once for peddling.

By Counsel. Q. And then you were arrested on whose complaint?

A. Mr. or Mrs. Reilly's complaint, I am not sure.

Q. What was that for? A. He and Mr. Reilly had some words and I struck him.

Q. For assault? A. Yes sir.

Q. What was done with you? A. I got discharged.

Q. Were you ever arrested for stealing or for robbing anybody?

A. No sir, I was not.

CROSS EXAMINED.

By Mr. Davis. Q. Sullivan, have you ever been in prison under any sentence? A. No sir.

Q. Never served any time? A. No sir, only this now.

Q. On this day in question how long were you there opposite No. 11 with Miss Reilly before the old man came up?

A. I was there about ten or fifteen minutes before the old man came up.

Q. And did Mullen come up with the complainant? A. Yes sir.

Q. He came in his company? A. Yes sir.

Q. You are sure of that, are you? A. Yes sir.

Q. And did Connolly also? A. Yes sir, I think Connolly did come up with him.

Q. How long were they standing there before Mullen went in the room or in the hall? A. Well, I could not exactly

02 16

say how long they were standing there, about five or ten minutes I should say.

Q. How long had they been in the hall before you heard these cries?

A. I do not think they were in the hall over two minutes.

Q. What was the first cry that you heard?

A. "Murder, watch."

Q. Murder, watch?

A. Yes sir.

Q. What did you think about that when you heard that cry?

A. I did not know what to think of it, I sat just where I was.

Q. You were rather startled to hear such a cry as that?

A. Yes sir, I was.

Q. You knew Mullen had gone in and you knew that Connolly and the old man had gone in and they had been in about two minutes?

A. Yes sir.

Q. I should think that cry of murder, watch, must have startled you somewhat?

A. Yes sir, it did.

Q. What else did you hear?

A. That is all I heard, a man hallooing "Murder, watch, police."

Q. You heard that for how long?

A. About ten or fifteen minutes.

Q. Were you not frightened?

A. No sir, I was not frightened.

Q. What did you think, did not you think Mullen was doing something?

A. I could not say whether it was Mullen or anybody else was doing anything, I thought the best thing was to stay where I was, I know Mullen as long as I can remember.

0217

- Q. He is a friend of yours? A. Yes sir, I went to school with him, I know Connolly about four years.
- Q. Do you belong to any club or society? A. No sir.
- Q. You did not know the old man, did you? A. I never seen him before in my life.
- Q. Did not it occur to you hearing those cries in there and Mullen and Connolly friends of yours had been in with the old man. it might be a proper thing for you to get up and call for the police? A. No sir.
- Q. You were talking with Miss Reilly? A. Yes sir, I asked her what she thought that was right next door.
- Q. Had you seen the policeman pass on his beat?
- A. Not while I was standing there; I seen him before that, I could not say how long, about half an hour or twenty minutes.
- Q. Which way was he going when you saw him? A. Going up towards the Bowery.
- Q. You did not call police, did you? A. No sir, I did not.
- Q. You did not call for assistance at all, did you?
- A. No sir.
- Q. Now half an hour before that you say you saw him?
- A. Yes sir, about half an hour or twenty minutes.
- Q. Where were you when you saw him then? A. I was standing talking with Miss Reilly, I believe.
- Q. The first you saw of the policeman you were talking with Miss Reilly at what place? A. At No. 11 Pell Street.
- Q. He passed right by toward the Bowery? A. Yes sir.
- Q. It was after all this occurred? A. Yes sir, O'Sullivan went towards the Bowery and came back and passed.
- 39 Q. You saw him both times? A. Yes sir.

02 18

- Q Did you speak to him? A. To the officer, no sir.
- Q. Was he on your side of the street? A. Yes sir.
- Q. Who was there beside you? A. My uncle was, Mr. Sullivan and these two young ladies.
- Q. Now how long after the officer passed back the second time passed No. 11 Pell Street, how long after that was it that the old man came up? A. The old man came up about ten minutes or five minutes, or something like that. I am not sure if Mullen was with him, Connolly was with him.
- By the Court. Q. Anybody else with him? A. There was an old woman with him.
- By Mr. Davis. Q. An old woman? A. Yes sir, with this complainant.
- Q. Did you see the old man go out of the door? A. Yes sir.
- By the Court. Q. What door? A. No. 13 door.
- By Mr. Davis. Q. Did you see the blood on him? A. I saw a little scratch or something back of his ear.
- Q. Did you hear what he said? A. Only that he had been robbed.
- Q. He said that he had been robbed? A. Yes sir.
- Q. Did you see Mullen after that? A. Yes sir.
- Q. What did he do? A. Mullen was standing on the corner when he got arrested.
- Q. Did you see Mullen or Connolly go out of No. 13? A. No sir.
- Q. When you heard the old man say that he had been robbed, did it occur to you that possibly Mullen might have done it? A. I did not know; there might have been other people in there beside Mullen, I did not see it.

0219

Q. Did it occur to you that Mullen might have been the one that robbed him, Mullen and Connolly? A. No sir.

Q. That did not occur to you? A. No sir, there is a lot of people that do not live in that building that comes in from morning to night.

By the Court. Q. Where was the complainant when you first saw him?

A. Coming up Pell Street on the street in front of No.13, he was in company with Mullen and Connolly and a woman.

By Mr. Davis. Q. How far away from No.11 Pell Street when you saw them? A. Corner of Doyer Street, two houses.

Q. Connolly was with them? A. This old man and that woman met those two boys there and they walked up to No.13.

Q. Connolly walked with him, Mullen and the old man and the old woman walked up? A. Yes sir.

Q. It is not a fact that Connolly was there? A. No, I do not think he was when they came up, I know they went into the hall before the man.

JOHN O'CONNELL sworn and examined.

By Counsel. Q. What is your business? A. I am a private watchman of four buildings in Pell Street and a lot of horses and trucks beside.

Q. How long do you know the defendant, James Sullivan? A. Since he was in the mother's arms.

Q. Since he was a child? A. Yes sir.

Q. Do you know what his character for honesty and peaceableness is? A. Yes sir.

Q. What is it, good or bad? A. Good, I often sent him

0220

to the bank with two or three hundred dollars when I would not have my own folks around, to the Bowery Bank, I often sent him to pay my bill in order that my business might go on and I would not lose time, I might hand him half or a quarter of a dollar for it, I never found anything to interfere with his character.

Q. You say you entrusted him with money, three or four hundred dollars?
A. Yes sir, five hundred dollars sometimes.

Q. You always found him to act honestly and fairly?
A. Yes sir.

Q. Do you know his character for peacefulness?
A. Well, sometimes he would be a little rough like all boys but nothing to interfere with his character.

Q. You know he is a good, honest boy?
A. Yes sir.

By Mr. Davis. Q. Are you related to him?
A. No sir.
Counsel: I have his mother here also, but I do not think it is necessary to put her on the stand. I renew my motion to dismiss if the District Attorney does not want to offer any evidence in rebuttal.

Mr. Davis: I have no evidence in rebuttal; both sides rest.

The Jury rendered a verdict of guilty of robbery in the first degree, strongly recommending the Defendant to the mercy of the Court.

0221

Q. At that time how long were you there? A.

2
at 1000 hours
of 1000
1000

1000
1000
1000

0222

Testimony in the
case of
James Sullivan

Filed August
1888

AT THE COURT OF THE DISTRICT OF COLUMBIA

0223

Police Court First District.

CITY AND COUNTY
OF NEW YORK, } ss.

of No. 56 Madison Street,

Jeweler being duly sworn, deposes and says, that

on Tuesday the 14th day of August

in the year 1888 at the City of New York, in the County of New York,

he was violently and feloniously ^{attempted to be assaulted} ASSAULTED and BEATEN by

James Sullivan (now here) who made
a lunge at deponent's breast
with the blade of a knife
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 14 day

of August 1888 Jurydan Nauvbers

dy 60me POLICE JUSTICE.

0224

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

Just District Police Court.

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

Question. What is your name.

Answer.

James Sullivan

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer.

New York

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

Answer.

311 Water St. 1 1/2 years

Question. What is your business or profession?

Answer.

Varnisher

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

Answer.

*I am not guilty -
James Sullivan.*

Taken before me this

14

day of *August* 188*8*

See J. G. Smith
Police Justice.

0225

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

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

Dated Aug 14 188 8 Aug 14 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.

0226

2 complaints
No 2.
Aug. 15. 9² a.m.

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Sidnie Nauhaber
56 Madison St
James Sullivan

2 _____
3 _____
4 _____

Dated *Aug 14* 188*8*

Power Magistrate.

Roche Officer.

H Precinct.

Witnesses *Arthur Leary*

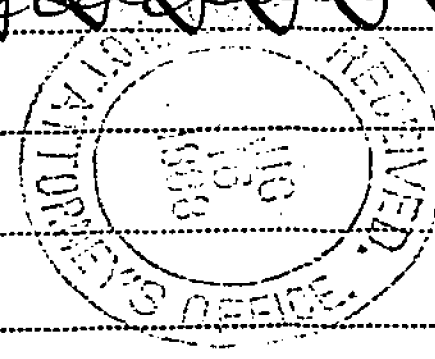
No. *4* Street.

No. _____ Street.

No. _____ Street.

\$ *1000* to answer *Go*

Law



0227

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 Sullivan

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

James Sullivan

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

The said

James Sullivan

late of the City of New York, in the County of New York aforesaid, on the

14th

day of

August

, 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

Sidore Naudaher

in the peace of the said People then and there being, feloniously did make an assault,

and

him

the said

Sidore Naudaher

with a certain

knife

which the said

James Sullivan

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

Sidore Naudaher

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

James Sullivan

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

The said

James Sullivan

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

Sidore Naudaher

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and

him

the said

Sidore Naudaher

with a certain

knife

which the said

James Sullivan

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,

Attorney

Witnesses:

Counsel,

Filed

19 day of Aug 1888

Pleads,

not guilty

THE PEOPLE

vs.

James Sullivan
(2 cases)

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

JOHN R. FELLOWS,

District Attorney.

P. 2 Sept 17/88
Discharged by the Court on
his own recogn
A True Bill.

Markale Lemmell
Foreman.

after sentenced
to 10 to 15 years
the Complainant,
and failing in all
attempts, I consent
to the Defendant's
discharge, upon
his own recogni-
tion.
James. J. S. B.
ad. 20. 1/88.
Sept. 17/88.

Sept 17/88
J. S. B.

0220

0229

PART II.

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING THE PARK.

If this Subpcena 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.]

SUBPCENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

To *Isidore Naukhaber*

of No. *56 Madison* Street,

GREETING :

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *17* day of *September* instant, at the hour of *Ten* in the forenoon of the same day, to testify the truth and give evidence in our behalf against

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

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of *September* in the year of our Lord 1888.

JOHN R. FELLOWS, *District Attorney.*

0230

Court of General Sessions.

THE PEOPLE

vs.
James Sullivan

City and County of New York, ss:

Michael Roche being duly
sworn, deposes and says: I am a Police Officer attached to the *4th* Precinct,
in the City of New York. On the *14th* day of *Sept.* 188*8*,
I called at *56 Madison this City*

the alleged *residence* of *Isidore Nauhaber*

the complainant herein, to serve him with the annexed subpoena, and was informed by *the*
landlord that he moved, and he did not know
of his present whereabouts, he says he was
auctioned out there about four weeks ago and
since then he never ~~heard~~ saw him.

Sworn to before me, this
of

17th day
188*8*

Sept. 17th 1888
Just. H. Grisoll.
Commissioner of Deeds
N. Y. C.

Michael Roche.

0231

Andre Mautner
Compt.

Court of General Sessions.

THE PEOPLE, on the Complaint of

James Sullivan
vs.
J. B.
Offence:

JOHN R. FELLOWS,
District Attorney.

Affidavit of Police Officer

Michael J. O'Connell
4th
Precinct.

Failure to Find Witness.

0232

PART II.

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

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

To *Sidore Mauchaber*

of No. *56 Madison* Street,

GREETING :

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *17* day of *September* instant, at the hour of *Ten* in the forenoon of the same day, to testify the truth and give evidence in our behalf against

James Sullivan

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

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of *September* in the year of our Lord 1888.

JOHN R. FELLOWS, District Attorney.

0233

Court of General Sessions.

THE PEOPLE

vs.
James Sullivan

City and County of New York, ss:

Andrew Fay being duly
sworn, deposes and says: I reside at No. *83 Madison*
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 *10th* day of *Sept.* 188*8*,
I called at *56 Madison St.*

the alleged *residence* of *Isidore Naubaker*

the complainant herein, to serve him with the annexed subpoena, and was informed by

the
Man next door and tenants in house that he left there
some three or four weeks ago, and they knew
not where he went, and after making diligent
search and inquire failed to ascertain his present
whereabouts

Sworn to before me, this

of

17th day

188*8*

Sept.

Just. Driscoll

Commissioner of Deeds

N. Y. C.

Andrew Fay
Subpoena Server

... Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

James Sullivan

Offence:

JOHN R. FELLOWS,
District Attorney.

Affidavit of

Andrew Gray

Shopiana Server.

Failure to Find Witness.

0234

0235

Sec. 198—200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name.

Answer.

James Sullivan

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer.

New York

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

Answer.

311 Water Street. 1 1/2 years

Question. What is your business or profession?

Answer.

Varnisher

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

Answer.

I am not guilty

Jas. Sullivan.

Taken before me this

14

day of *August*, 188*8*

J. J. O'Connell
Police Justice.

0236

Police Court—First District.

Affidavit—Larceny.

City and County }
of New York, } ss.Isidora Naulaker
of No. 56 Madison Street, aged 42 years,
occupation Jeweler being duly sworndeposes and says, that on the 14th day of August 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:One double case gold watch valued about thirty five dollars

the property of an unknown man and in case of deponent and Samuel Nauskar, copartners, for repairing

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 James Sullivan (now here) and two other men ^{acting in concert with each other} not now arrested, for the reason that on said day the said watch was in a drawer ^{drawer} which was lying on a show case in said premises. The two men not yet arrested entered said store with a silver watch here shown and requested deponent to repair the same. That at said time the defendant Sullivan was standing in front of said premises looking into the show window. Deponent took said ^{silver} watch to be repaired and went to the rear of the store and when he returned the said two men had left said store, leaving the said watch which they had brought for repairing, with deponent. That immediately thereafter deponent

Sworn to before me, this 188 day

Police Justice.

0237

missed the aforesaid gold watch. That immediately thereafter and while deponent still had said silver watch to be repaired in his deponent's hand the defendant Sullivan entered said store and demanded the silver ^{watch} from deponent, claiming the same to be his property. Deponent refused to deliver said silver watch to the defendant Sullivan who thereupon closed the door of said store and drawing the knife here shown did threaten deponent with serious bodily harm if he deponent did not return said silver watch. Deponent fearing that said Sullivan would take his deponent's life, ~~delivered said silver watch~~ ^{should to attract attention and said} to said Sullivan who thereupon escaped. Wherefore deponent charges said defendant with acting in concert with the two men not arrested in taking stealing and carrying away said property.

Sworn to before me

this 14th day of August, 1888

J. J. Ryan, Notary Public

cy 6000
J. J. Ryan

0238

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
fifteen *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 *Aug. 14* 188 *8* *us Orno* *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.*

0239

2 Complaints
No 1.

92 1/2 Ave. range 1st

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Police Court--- / 1273 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Isidor Nankaber
36 Madison St
James Sullivan

2

3

4

Offense

Grand Larceny

Dated *August 14* 188 *8*

Power Magistrate.

Roche Officer.

14 Precinct.

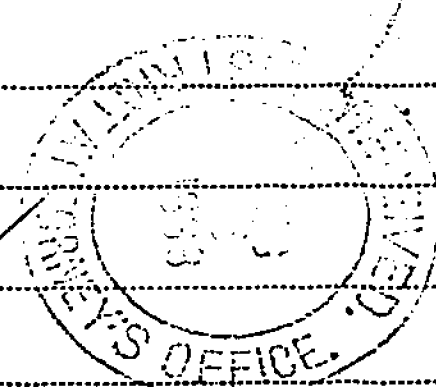
Witnesses

No. Street.

No. Street.

No. Street.

\$ *1500* to answer *1500*



0240

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 Sullivan

The Grand Jury of the City and County of New York, by this indictment,
accuse *James Sullivan* —

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

The said *James Sullivan*,

late of the City of New York, in the County of New York aforesaid, on the *14th*
day of *August*, in the year of our Lord one thousand eighty hundred and
eighty-*eight*, at the City and County aforesaid, with force and arms,

one watch of the value of
thirty five dollars,

of the goods, chattels and personal property of one *Isidore Naudacher,* —

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 H. Nelson,
Attorney