0085

BOX:
338
FOLDER:
3193
DESCRIPTION:
Lally, John
DATE:
01/25/89

3193

0086

BOX:
338
FOLDER:
3193
DESCRIPTION:
Lynch, Daniel
DATE:
01/25/89

3193

Book

Witnesses:

James Crennan
Office Mr. Mulvey C.O.
Boat house Dock
Time No. 2 27. No 1
Owner – Probably
Keeper.

271
Ordered

Counsel,

Filed 25 day of Jany 1889

Pleads, Not guilty 29
17 Mch

THE PEOPLE

vs.

John Lally P
and
Daniel Lynch P

Grand Larceny Second degree

[Sections 528, 531, 530, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Thos B Woodley
Jany 31/89 *Foreman.*

Dock

Nov. 27 11. Mvo. J.P.

POOR QUALITY ORIGINAL

L8087

0088

Police Court— 2d District.

Affidavit—Larceny.

City and County of New York, } ss.:

James Crimmin

of No. 349 West 54 Street, aged 62 years,

occupation Fireman being duly sworn

deposes and says, that on the 26 day of December 188 8 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:

and from the person

One Gold Watch and Hair Chain attached of the value of Sixty Dollars of one pocket book containing good and lawful money of the United States of the amount and value of Twenty - two 50/100 Dollars all of the value of Eighty - two 50/100 Dollars

($82 50/100)

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by John Lally and David Lynch (both now here) from the following facts to wit: that said property was in the clothing then and there worn upon the person of deponent and said defendants were in company with deponent and immediately after said defendants left deponent deponent missed said property

deponent further says that he is informed by Officer Thomas Moldey of the Detective Office that he Moldey found a pawn ticket, ~~which attached~~, in

Sworn to before me, this day of 188 Police Justice

said Lally's possession, which pawn ticket represents the said property and which deponent has identified as being the same that was so taken stolen and carried away from the person of deponent in the manner aforesaid.

Deponent therefore charges said John Lally and Daniel Lynch while acting in concert with each other with having committed the said Larceny and asks that they may be dealt with as the law may direct.

Sworn to before me
this 7th day of January 1889

James Lanin

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Hundred Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated 188 Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—LARCENY.

Dated 188
Magistrate.
Officer.
Clerk.

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

0090

CITY AND COUNTY
OF NEW YORK, } ss.

Thomas Milroy

aged 39 years, occupation Police - Officer of No.
200 Mulberry Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of James Crimmin
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Thomas Milroy

Sworn to before me, this
day of January 1889

Police Justice.

0091

Sec. 198–200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. John Lally

Question. How old are you?

Answer. 29 years old

Question. Where were you born?

Answer. New York

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

Answer. 7 Mulberry St 18 years

Question. What is your business or profession?

Answer. Ex fireman

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

Answer.

I am not guilty

John Lally

Taken before me this 7 *day of* October *18*88

Police Justice.

0092

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Daniel Lynch 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. Daniel Lynch

Question. How old are you?

Answer. 20 years old

Question. Where were you born?

Answer. New York

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

Answer. 21 Washington St 2 yrs

Question. What is your business or profession?

Answer. Go to sea

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

Dan Lynch

Taken before me this 4 *day of* [illegible] 188[illegible]

[illegible]

Police Justice.

0093

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

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

Dated July 7 188 9 P. J. Duffy *Police Justice.*

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

to bail to answer by the undertaking hereto annexed.

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

There being no sufficient cause to believe the within named .....

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

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

0094

271 2 54

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Dunnigan
349 West 54th St

1 John Lally
2 Daniel Lynch
3
4

Offence Larceny Felony

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated Jany 7 188 9

Duffy Magistrate.

Mulry & Mulry Officer.

Cen Of Prec Precinct.

Witnesses Thomas Mulry

No. 200 Mulry Street.

No. Street.

No. Street.

$ 1000 each to answer

Com

COURT OF GENERAL SESSIONS OF THE PEACE, OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Lally and Daniel Lynch

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse John Lally and Daniel Lynch of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed as follows:

The said John Lally and Daniel Lynch, both late of the City of New York, in the County of New York aforesaid, on the twenty-sixth day of December in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, with force and arms, in the day-time of the same day, divers promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of twenty-two — dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of twenty-two — dollars; divers United States Silver Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of twenty-two — dollars; divers United States Gold Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of twenty-two — dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of twenty-two dollars and fifty cents, one watch of the value of sixty dollars, one chain of the value of one dollar and one pocketbook of the value of fifty cents — of the goods, chattels and personal property of one James Cannon on the person of the said James Cannon then and there being found, from the person of the said James Cannon then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

JOHN R. FELLOWS, *District Attorney.*

Second COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said John Lally and Daniel Lynch of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said John Lally and Daniel Lynch both 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 the day time of the same day, divers promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of twenty-two dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of twenty-two dollars; divers United States Silver Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of twenty-two dollars; divers United States Gold Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of twenty-two dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of twenty-two dollars and fifty cents. one watch, of the value of sixty dollars, one chain of the value of one dollar and one pocketbook of the value of fifty cents of the goods, chattels and personal property of one James Brinion by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said James Brinion unlawfully and unjustly, did feloniously receive and have; they the said John Lally and Daniel Lynch 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.

0097

BOX:
338
FOLDER:
3193
DESCRIPTION:
Lambson, Thomas
DATE:
01/08/89

3193

Witnesses:

J. F. Shaven

W. F. Kilpatrick

360

Counsel, Mr. Meyers

Filed 8 day of Jany 188 9

Pleads, Not guilty.

THE PEOPLE

vs.

28 863-3-ave carpet bags

Thomas Lambson

Grand Larceny degree.

[Sections 528, 531, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Thos B Worley

Foreman.

Part II January 1st 89.

Pleads. G. L. 2d deg.

State Reformatory Elmira.

0099

Court of General Sessions.

The People
vs.
Thomas Sambson } Larceny.

Margaret M. Kilpatrick, 1071 Fourth Avenue, I am the wife of the complainant herein. When the defendant, on the 3d and 4th of December, 1888, was laying carpets in our house for his employer Andrew Logan, I requested him to put up some curtains. He did so. In the morning of the 4th of December, he had bought on my account some screws and poleholders, which he had to use in fixing the curtains. Early in the afternoon of the 7th of December, he called at my house and said that by mistake he had taken some screws along, which he wanted to return, and at the same time would like to put some of additional screws in, so the poles might turn. I allowed him to go into the parlor, where I was sitting. When he was through with his work, he left the parlor through the door

of the dining room, and I supposed he left the house. Later in the afternoon I missed from my bedroom

1 Diamond Bar Pin	$200.00
1 Pair Diamond Earrings	225.00
1 Gold watch	60.00
3 " Pearl Pins	15.00
1 Leather Pocket Book containing	13.75
	513.75

Upon inquiries among my servant girls. I heard that the defendant had been in the said bedroom.

Walter F. Kilpatrick, 1071 Fourth Avenue. Lumber merchant. My office is at 839 Eleventh Avenue. When my wife informed of the theft of the above articles and of the defendant's conduct in my house, I went to the station house and reported these facts. We ascertained that he probably had left for Boston, and, at my request, Detective Ransom went to that place where he found and arrested the defendant. In the Police Court the defendant confessed to me that he stole the said goods

Andrew M. Logan, 315 E. 56th Street. carpet cleaner and expressman. My office is at 219 East 51st Street. I know the defendant herein. He has been in my employ as a carpet layer off and on since May 1887. On the 3d and 4th of December, 1888, he laid carpets in complainant's house by my order. His work was finished on the 4th of December 1888. I did not sent him again thereafter to complainant's house. His statement that I sent him there to adjust curtains is not true

Edgar P. Hanson, Detective Sergeant, Central Office. By direction of Inspector Byrnes I proceeded on the 10th of December, 1888, to Boston, Mass., and there received the defendant as a prisoner at Police Headquarters. He admitted having stolen the above mentioned jewelry from the residence of the complainant. He had pawned the different articles and he surrendered the pawn tickets to me, and I recovered all the property, ~~from~~ with the exception of the pocket book and the money.

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs.

Thomas Lambert

BRIEF OF FACTS

For the District Attorney.

Dated December 14 1888.

Edward Grace

Deputy Assistant.

0103

Police Court— 4th **District.** **Affidavit—Larceny.**

City and County of New York, } ss.

Walter F. Kilpatrick

of No. 1071 — 4th Avenue ~~Street~~, aged 37 years, occupation Lumber being duly sworn deposes and says, that on the 7th day of December 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

One Diamond Bar Pin of the value of Two Hundred Dollars
One Pair Diamond Ear Rings of the value of Two Hundred and twenty Dollars
One Gold Watch of the value of Sixty Dollars
One Gold Scarf Pin of the value of Fifteen Dollars
and one leather Pocket book containing good and lawful money of the United States of the amount and value of Thirteen Dollars all of the value of Five Hundred and Thirteen Dollars ($513.00)

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Thomas Lambson with the intent to deprive the true owner of said property from the following facts to wit: That said property was in my room in said premises and said defendant came to said premises and represented to deponent's wife that he, said defendant, had been sent by Mr Andrew Logan with instructions to readjust some curtains in said premises, and at this time said property was in said premises and immediately after said defendant left said premises said property was missed. Deponent further

Sworn to before me, this day of 188

Police Justice.

0104

says that the aforesaid Mr Logan
declares having sent said defendant
to said premises on said day
and that said defendant did
not return to his Mr Logan's
store where he said defendant was
employed after said day.
Said deponents therefore charges
said Thomas Lambson with having
committed the said larceny and
asks that he may be apprehended
and dealt with as the law may
direct

Michael Kilpatrick

Sworn to before me
this 10 day of December 1888

A J Mitchell
Police Justice

0105

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Thomas Lawson

Question. How old are you?

Answer. 28 years

Question. Where were you born?

Answer. England

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

Answer. 63 3rd Avenue 4 months

Question. What is your business or profession?

Answer. Carpet Layer

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 have nothing to say at present

Thomas Lawson

Taken before me this 1st *day of* December 188 9

Police Justice.

0106

Sec. 151.

Police Court 4 **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 any Marshal or Policeman of the City of New York:*

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 Walter F. Wilpatrick of No. 1071 Fourth Avenue Street, that on the 7 day of December 188 8 at the City of New York, in the County of New York, the following article to wit: One Diamond Bar Pin, One Pair of Diamond Ear Rings, One Gold Watch, One Gold Scarf Pin, One Pocket Book containing good and lawful money of the United States of the amount and value of Thirteen Dollars, all of the value of Five Hundred and Thirteen 00/100 Dollars, the property of Complainant was taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Thomas Lambsen

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 every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 4 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 10 *day of* December 188 8

R. J. Mead POLICE JUSTICE.

0107

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

.....

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

Dated Dec 12 188 8 ..... *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.*

0108

Police Court--- 4 District. 1922

THE PEOPLE, &c.,

ON THE COMPLAINT OF

N. F. Kilpatrick

vs.

Thos. Lambson

2

3

4

Offence Larceny

Dated Dec 12 188 8

A. J. White Magistrate.

J. J. Slauson Officer.

C. O. Precinct.

Witnesses Andrew Logan

No. 219 East 81 Street.

J. Margaret M. Kilpatrick

No. 1071 Fourth Avenue Street.

Complaint not necessary for the Grand Jury.

No. Street.

$ 1000 to answer

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0109

COURT OF GENERAL SESSIONS OF THE PEACE, OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas Sandison

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse Thomas Sandison

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

The said

late of the City of New York, in the County of New York aforesaid, on the seventh day of December, in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, with force and arms, in the same time of the same day, divers promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of thirteen ——— dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of ——— thirteen ——— dollars; divers United States Silver Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of thirteen ——— dollars; divers United States Gold Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of thirteen ——— dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of thirteen dollars, one coin of the value of two hundred dollars, one coin of twenty of the value of two hundred and twenty-five dollars, one coin of the value of twenty dollars, one coin of the value of fifteen dollars, and one coin of the value of one dollar, ———

of the goods, chattels and personal property of one Walter T. Kirkpatrick, ——— then and there being found,

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

JOHN R. FELLOWS, *District Attorney.*

0110

BOX:
338
FOLDER:
3193
DESCRIPTION:
Lappin, Patrick
DATE:
01/30/89

3193

329

Gallagher

Counsel,

Filed 30 day of Jany 1889

Pleads, Not guilty

THE PEOPLE

vs.

Patrick Lappin

Assault in the Second Degree.
(Section 218, Penal Code).

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Thos B Woodward
Foreman.

Feby 1/89

Pleads guilty 3 Dec
P.M.P. Rest + Hobbs

Witnesses:

James E Roach

Thos Jas Shanks

Jas Lee Remicks

The assault was an aggravated one.

0112

Police Court—4—District.

City and County of New York, } ss.:

The 23rd Precinct Police Station

of No. ~~Street,~~ aged 37 years,

occupation Police Officer being duly sworn

deposes and says, that on the 14th day of January 188 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Patrick Laskin Southern Pho. Builder dubonnet on the front with a coffee stave then and there cast and thrown from the hand of the said Laskin as dubonnet while dubonnet was in the discharge of duty as a Police Officer.

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 15 day of January 188 } James E. Roche

Wm. Pickett Police Justice.

0113

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Patrick Lafayette 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. Patrick Lafayette

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. New York

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

Answer. 543 Lexington Ave 5 years

Question. What is your business or profession?

Answer. Painter

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

Answer. I am not guilty of the charge

Patrick Lafayette

Taken before me this 1 day of May 188

Police Justice.

0114

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

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

Dated [illegible] 188 [illegible] *Police Justice.*

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 188 *Police Justice.*

There being no sufficient cause to believe the within named

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

Dated 188 *Police Justice.*

0115

329 84

Police Court--- District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thos. E. Finch

vs.

1 Patrick Lapkin

2

3

4

Offence Assault & Battery

Dated January 15 1889

Justice Magistrate.

Finch Officer.

22 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 500 to answer

Assault

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

0116

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Patrick Lappin

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse Patrick Lappin of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Patrick Lappin late of the City and County of New York, on the fourteenth day of January, in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, at the City and County aforesaid, in and upon one James E. Roche in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said Patrick Lappin with a certain ~~cobble~~ stone which he the said Patrick Lappin in his right hand then and there had and held, the same being then and there a weapon and an instrument ~~and weapon~~ likely to produce grievous bodily harm, him, the said James E. Roche ~~then~~ and there feloniously did wilfully and wrongfully strike, beat, cut bruise 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.

0117

SECOND COUNT—

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

The said Patrick Lappin, late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said James E. Roche in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said Patrick Lappin the said James E. Roche with a certain ~~cobble~~ stone which he the said Patrick Lappin in his right hand then and there had held, in and upon the head of him the said James E. Roche then and there feloniously did wilfully and wrongfully strike, beat, cut, bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said James E. Roche to the great damage of the said James E. Roche 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.

0118

BOX:
338
FOLDER:
3193

DESCRIPTION:
Laughlin, William R.

DATE:
01/31/89

3193

Witnesses:

James Loeden

411

Counsel,

Filed 31 day of Jan 188 9

Pleads,

THE PEOPLE

vs.

B

William R. Laughlin

Feb 1/89

ASSAULT IN THE THIRD DEGREE

(Section 219, Penal Code).

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Thos B Worley

Foreman.

0120

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William R. Laughlin

The Grand Jury of the City and County of New York, by this indictment, accuse William R. Laughlin of the CRIME OF ASSAULT IN THE THIRD DEGREE, committed as follows:

The said William R. Laughlin late of the City of New York, in the County of New York aforesaid, on the twentieth day of January in the year of our Lord one thousand eight hundred and eighty nine at the City and County aforesaid, in and upon the body of one James T. Soden in the peace of the said People then and there being, with force and arms, unlawfully did make an assault, and him the said James T. Soden did then and there unlawfully beat, wound and ill-treat, to the great damage of the said James T. Soden 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.

0121

BOX:
338
FOLDER:
3193
DESCRIPTION:
Lavin, Thomas
DATE:
01/28/89

3193

320

Witnesses:

Thomas P Kelly

Patrick Reeson

Counsel,

Filed 28 day of Jany 1889

Pleads,

THE PEOPLE

vs.

Thomas Lavin

Grand Larceny Second **degree**

[Sections 528, 531, 532 Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Thos B Woolsey

Foreman.

Jany 28/89

Plead Not Guilty

0123

Police Court— 2 —District.

Affidavit—Larceny.

City and County of New York, } ss.:

Thomas P. Kelly

of No. 326 West 55th Street, aged 36 years, occupation Livery Stable being duly sworn deposes and says, that on the 3 day of January 188 9 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property viz:

One set of single harness of the value of seventy five dollars — $75 —

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 Thomas Lavin (now here) for the reason that the said property was stolen from the Dakota stable at West 75th St. and 10th Avenue on said date; that the defendant was employed there and had access to the property and subsequent to said larceny deponent found a portion of said property in the possession of the defendant and the defendant has admitted the said larceny in the presence of Officer Thomas Walsh of the 20th Precinct this day in this court.

Thomas P Kelly

Sworn to before me, this 5 day of January 1889

Police Justice.

0124

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Thomas Lavin

Question. How old are you?

Answer. 39 years

Question. Where were you born?

Answer. Ireland

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

Answer. 75th St and 10th Av. 2 weeks

Question. What is your business or profession?

Answer. Harness Maker

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

Answer. It is true I took the harness. I was drunk

his
Thomas + Lavin
mark

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

[illegible] *Police Justice.*

0125

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 Thomas Lavin

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 Jan 5 188 9 H. Ulshoeffer *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.*

0126

320 39

Police Court--- 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thomas P. Kelly
321 West 56th St
Thomas Lavin

2

3

4

Offence Larceny felony

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Jan 5 188 9

Duffy Magistrate.

Frank Walsh Officer.

20 Precinct.

Witnesses Call the Office

No. Street.

No. Street.

No. Street.

$ 500 to answer G. C.

Com

0127

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas Lavin

The Grand Jury of the City and County of New York, by this indictment, accuse Thomas Lavin of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed as follows:

The said Thomas Lavin

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

one set of harness of the value of seventy-five dollars

of the goods, chattels and personal property of one Thomas P. Kelly

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.

0128

SECOND COUNT—

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

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

The said Thomas Lavin

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 set of harness of the value of seventy-five dollars

of the goods, chattels and personal property of one Thomas P. Kelly

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

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

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.

0129

BOX:
338
FOLDER:
3193
DESCRIPTION:
Layden, John
DATE:
01/30/89

3193

359 Robbery

Witnesses:

Catherine Layden

Counsel,

Filed 30 day of Jany 1889

Pleads, Not guilty

THE PEOPLE

vs.

John Layden P

3/ Pend

ASSAULT IN THE THIRD DEGREE

(Section 219, Penal Code).

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Thos B Worley Foreman.

Feby 4/89.

Trial Convicted

Pen 6 months

0131

Sec. 198—200.

CITY AND COUNTY OF NEW YORK } ss.

District Police Court.

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

Question. What is your name?

Answer. John Lagan

Question. How old are you?

Answer. 31 years

Question. Where were you born?

Answer. Hungary

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

Answer. 336 Pearl Street 2 years

Question. What is your business or profession?

Answer. Launderer.

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

John Lagan
his x mark

Taken before me this 21 *day of* January 188 9

Thomas M. Mott *Police Justice.*

0132

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

.....

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

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

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

to bail to answer by the undertaking hereto annexed.

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

There being no sufficient cause to believe the within named .....

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

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

0133

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

359 122

Police Court--- 1 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Catharine Laydu

336 vs. Pearl

1 John Laydu

2 .....

3 .....

4 .....

Offence Assault

Wm'on

Dated Jany 21 1889

Goreman Magistrate.

James J. Griffin Officer.

4 Precinct.

Witnesses.....

No. ..... Street.

No. ..... Street.

No. ..... Street.

$ 1000 to answer GS

Cons Assl 3

0134

Police Court— 1 District.

CITY AND COUNTY OF NEW YORK, } ss,

Catharine Layden

of No. 336 Pearl Street, aged 50 years,

occupation Housekeeper being duly sworn, deposes and says, that

on the 20 day of January 1889 at the City of New York,

in the County of New York,

She was violently **ASSAULTED** and **BEATEN** by John Layden her son (now here) who struck deponent on the head with his fist knocking deponent down and when down he kicked deponent about her body

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 the above assault, &c., and be dealt with according to law.

Sworn to before me, this 21 day of January 1889 } Catharine her x mark Layden

John J. Gorman Police Justice.

0135

2489

The People vs. John Layden { Court of General Sessions, Part I
Before Judge Cowing. Feb. 4. 1889.
Indictment for assault and battery.

Catherine Layden, sworn and examined, testified. Where do you live? No 336 Pearl street in this city. How old are you? I am fifty nine years old last month. Do you know the defendant at the bar? I ought to know him he is my son? Yes sir. Does he live with you? Sometimes. What does he do for a living when he works? He works in a laundry. Do you remember the 27th of last month, January? Yes sir. Where were you on that day? I was home in the house, it was Sunday. Was the defendant there? No sir; when he was not there all the week he was working, but he would not give us any money. Were you assaulted by the defendant? Yes sir, in my house. Tell the jury all that took place about it between yourself and this man at the time he struck you? Sunday the whole of the day he was drinking and I said to him to keep away from me, not to be coming there as long as he would not come Saturday night and give me some money; he came back again and wanted to send out for beer. I said, No, that no drop of beer would come in my house; "where you live you can spend your money. Monday

I am going to get a warrant to keep you away from me entirely to get the Judge to keep you from me instead of beating me all the time, coming in and smashing things all the time and all hours of the night. He went out and stayed out till about eleven o'clock in the night. We were just getting ready, my other son and me to go to bed and closed my door and it was burst in. I thought if I could get to the other door — I was in the Kitchen — to get an officer; he ran and threw me down and I did not know where I was. My oldest boy told him, I will not let any man lick my mother;" he was present; he had his foot on the chair in the Kitchen. My youngest son said, "I will never let a man lick my mother as long as I live; I would sooner be licked than my mother." I fell on the floor I dont know where. This fellow began knocking at the bureau and the young fellow hit him; when I seen the two "in holds" and seen the blood I ran down to the Oak St. Station house. I ran for an ambulance, I thought he was dead. I hallooed, "My God, murder, watch in the yard; is it not awful that they do not come to my relief?" I could not tell whether the defendant struck me with his

fist or his foot. I think he hit me between the two shoulders when I fell, and then the youngest son held him back; the defendant threw me down and kicked me. Cross Examined. I made a complaint against the prisoner Monday morning; he was in Court going to make a complaint against his step brother. I dont know whether he was going to complain that he stabbed him. My youngest son is not in Court, he is working. My other son got acquitted up stairs in the Grand Jury room.

John Layden sworn and examined in his own behalf testified. On Sunday ~night~ when this happened, I sent a little boy in for my clothes. I could not agree in the house with my mother and step brother; he came out with the clothes. My mother told him to tell me she was going round to get a warrant for my arest out of the shop. I changed my clothes, and in the evening I went back to the house and asked what she was going to have me arested for? She would not give me any information about it; my brother was lying on the sofa drunk; he got up when he heard my mother and me arguing; he said that either one of us would have to stay out of the house. I said, I will stay out of the

house; all I came in for was my clothes. I went up to quiet things. I came in again, and I dont know where my mother was. I cant say whether I struck her or not. As soon as I walked from the Kitchen into the front room my brother pulled a pen Knife out and struck me in the face and head; he picked up a chair, I fell senseless, he was pounding me and said "you son of a b—h, I will Knock you out now." A little boy who works in the shop with me came in and lifted my head up when he seen me cut. I tried to wipe the blood from my face. Two policemen came and took me to the station house and they took me over to the hospital. I work at the laundry business Mr Friedlander 244 East Third St. Cross Examined. I learned the laundry business in Sing Sing prison I was sent there for stealing a watch and got two years and a half. I have been arrested for being drunk. Though the excitement I may have pushed my mother when the brother had the knife at me. Jeremiah Griffin sworn and examined for the prosecution. I was in Court on Monday morning when by direction of the Judge the mother made a complaint against her son. The jury rendered a verdict of guilty

Testimony in the case
of
John Layden
filed Jan.
1889.

0140

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
John Layden

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

The said John Layden

late of the City of New York, in the County of New York aforesaid, on the twentieth day of January in the year of our Lord one thousand eight hundred and eighty-nine at the City and County aforesaid, in and upon the body of one Catharine Layden in the peace of the said People then and there being, with force and arms, unlawfully did make an assault, and her the said Catharine Layden did then and there unlawfully beat, wound and ill-treat, to the great damage of the said Catharine Layden 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.

0141

BOX:
338
FOLDER:
3193
DESCRIPTION:
Lee, Ida
DATE:
01/31/89

3193

Witnesses:

Fanny Deacon

I recommend that a plea of petit larceny be accepted in this case

J. Arlgoff
Ass't Dist Atty

T-

#575 J. Steward

Counsel,

Filed 31 day of Jany 1889

Pleads, Not Guilty

14
256 WK

THE PEOPLE

vs.

Ida Lee

Grand Larceny Second degree
[Sections 528, 53, 57, Penal Code].

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Thos B Woolsey
Foreman.

Feby 13/89

Pleads G L

Pen 3 months

241

0143

Police Court—4th District.

Affidavit—Larceny.

City and County of New York, } ss.

Fanny Secord

of No. 413 West 42nd Street, aged 23 years, occupation Married Lady being duly sworn deposes and says, that on the 27 day of January 188 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 lace skirt of the value of Seventy five dollars

the property of Deponent

Sworn to before me, this 28 day of January 188

Police Justice.

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 Eda Lee (colored)

from the fact that the defendant was employed in the house where deponent boards and on said date deponent missed said skirt from deponents wardrobe in deponents room and the defendant admitted and confessed to deponent that she defendant had taken stolen and carried away said property and stated to deponent that the said property was in a trunk where said defendant lives at 203 West 40th Street

Mrs Jennie Secord

0144

Sec. 193—200.

District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

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

Question. What is your name?

Answer. Oda Lee

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. Baltimore

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

Answer. 108 West 45 St 2 days

Question. What is your business or profession?

Answer. Cook

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

Answer. I am not guilty

Oda Lee

Taken before me this [illegible]

day of [illegible] 188[illegible]

[illegible]

Police Justice.

0145

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

.....

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

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

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

to bail to answer by the undertaking hereto annexed.

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

There being no sufficient cause to believe the within named .....

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

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

0146

215 #375 139

Police Court--- 4 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Fanny Elcord
243 West 42 st

Ida Lee

2

3

4

Offence Assault

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Jany 25 1889

Magistrate.

Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 1000 to answer G. S.

Com

0147

New York Feb 7. 1889

District Attorney

My Doctor
sent you Certificate
stating my Illness
will be impossible
for me to appear
in court as I am
unable to leave
my bed

Yours Truly.
Seward.

0148

243 West 42d Str
New York, Feb 12th 1899

To the Hon
Judge Rufus Cowing
Supreme Court.
City

Dear Sir,

Owing to my illness it will be impossible for me to appear in court tomorrow the 13th inst as I am unable to leave my bed. Detective Riley knows as much as I do in regard to the case & think his evidence is sufficient to convict the accused.

Respectfully

Jno. Francis Second

0149

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Ida Lee

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

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

The said Ida Lee

late of the City of New York, in the County of New York aforesaid, on the twenty fourth day of January in the year of our Lord one thousand eighty hundred and eighty-nine, at the City and County aforesaid, with force and arms, one skirt of the value of seventy five dollars

of the goods, chattels and personal property of one Fanny Second

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.

0150

SECOND COUNT—

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

of the Crime of CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said Ida Lee

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 skirt of the value of seventy-five dollars;

of the goods, chattels and personal property of one Fanny Second

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

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

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.

0151

BOX:
338
FOLDER:
3193
DESCRIPTION:
Levy, Samuel
DATE:
01/31/89

3193

Witnesses;

Israel Schawecker
off William J Mooney 11P

412 J B M

Counsel, Cooke

Filed 31 day of June 1889

Pleads, Chgd Lar 1st Deg

THE PEOPLE

vs.

P

Samuel Levy

Grand Larceny, First Degree.
(From the Person.)
[Sections 528, 530 — Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Theo B Worthley

Foreman.

Part 14 February 4 89.

Tried and Acquitted

T.

Witnesses;

Israel Schawerski
Jeff William J Mooney 11P

412 J B M

Counsel, Cooke

Filed 31 day of June 1889

Pleads, Not guilty

THE PEOPLE

vs.

Samuel Levy P

Grand Larceny, first Degree.
(From the Person.)
[Sections 528, 530 — Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Theo B Wolfley

Foreman.

Part II February 4 89.

Tried and Acquitted

T.

0154

Police Court— 3 District.

Affidavit—Larceny.

City and County of New York, } ss.:

Israel Schumeistey

of No. ~~250~~ 215 Division Street, aged 19 years, occupation Operator being duly sworn deposes and says, that on the 18 day of January 188 9 at the City of New York, in the County of New York, was feloniously taken, stolen ~~and carried~~ away from the possession of deponent, in the night time, the following property viz: on a person

Good and lawful money of the United States consisting of one bill of the denomination and value of Two dollars

the property of Isaac Schumeistey deponents Father

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 Sam Levy (new here) and Three others whose names are unknown

Sworn to before me, this day of 188

Police Justice

Deponent says that he saw said Levy and said unknown persons in a saloon no. 89 Hester Street in said City talking and conversing together. That said Levy and said unknown persons followed him out of said place and one of said persons took said money from his pantaloons pocket from him and ~~then~~ ran away. That deponent attempted to run after said unknown man and said Levy struck deponent several blows on the head and face with his fist and ran away.

Wherefore deponent charges said

defendant Levy with acting in concert with said unknown man and feloniously taking stealing and carrying away said property

his
Israel X Schumeisky
mark

Sworn to before me
This 19 day of Jany 1889
Danl O'Reilly Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named ______ guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of ______ Hundred Dollars ______ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated ______ 188 . ______ Police Justice.

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

Dated ______ 188 . ______ Police Justice.

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

Dated ______ 188 . ______ Police Justice.

Police Court, ______ District.

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

Offence—LARCENY.

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

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

0156

Sec. 198—200.

5 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Sam Levy being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is h 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. Sam Levy

Question. How old are you?

Answer. 21 years

Question. Where were you born?

Answer. Poland

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

Answer. 46 Forsyth St 3 weeks

Question. What is your business or profession?

Answer. Lawyer

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

Sam Levy

Taken before me this 19 *day of* 188 9

Police Justice.

0157

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 Sam Levy

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 Jan 7 19 188 9 ..... *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.*

0158

412 104

Police Court---3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Israel Schuchewicky
215 Division

1 Sam Levy
2
3
4

Offence Larceny from the person

Dated January 19 1889

L O Reilly Magistrate.

Mooney Officer.

11 Precinct.

Witnesses Jacob Notce

No. 24 Norfolk Street.

No. Street.

No. Street.

$ 1500.00 to answer G. S.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

0159

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Samuel Levy

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

The said Samuel Levy

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

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

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

John R. Fellows,
District Attorney.

0160

BOX:
338
FOLDER:
3193
DESCRIPTION:
Liebermann, Alexander
DATE:
01/23/89

3193

#238

Witnesses

John E. Allen

Counsel,

Filed, 23 day of January 1889

Pleads,

THE PEOPLE,

vs.

B

Alexander Liebermann

January 28/89

ADULTERATED MILK.

(Chap. 183, Laws of 1885, Section 1, as amended by chap. 577, Laws of 1886, Section 1; Section 186, Sanitary Code, and Section 575 of the N. Y. City Consolidation Act of 1882.

JOHN R. FELLOWS.

District Attorney.

A True Bill.

Ther B Woolsey

Foreman.

0162

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Alexander Liebermann

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

(Chap. 183, Laws of 1885, § 1. as amended by Chap. 577, Laws of 886, § 1.)

of a MISDEMEANOR, committed as follows:

The said Alexander Liebermann

late of the City of New York, in the County of New York aforesaid, on the twenty-eighth day of November in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, did unlawfully expose for sale three quarts of unclean, impure, unhealthy, adulterated and unwholesome milk (the same not being skimmed milk produced in the said County), 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:

(§ 186, Sanitary Code

And the Grand Jury aforesaid, by this indictment, further accuse the said Alexander Liebermann of the CRIME OF VIOLATING THE SANITARY CODE OF THE BOARD OF HEALTH OF THE HEALTH DEPARTMENT OF THE CITY OF NEW YORK, committed as follows:

The said Alexander Liebermann

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully keep, have and offer for sale, three quarts of milk which had been and was then and there watered, adulterated, reduced and changed by the addition of water and other substances to the Grand Jury aforesaid unknown, and by the removal of cream, against and in violation of the Sanitary Code of the Board of Health of the Health Department of the City of New York, duly adopted and declared as such at a meeting of the said Board of Health, held in said city on the second day of June, 1873, as amended in accordance with law, and particularly in violation of a certain ordinance thereof, to wit: the one hundred and eighty-sixth section of said code, which is as follows, that is to say:

"No milk which has been watered, adulterated, reduced or changed in any respect by the addition of water or other substance, or by the removal of cream, shall be brought into, held, kept, or offered for sale at any place in the City of New York; nor shall any one keep, have or offer for sale in the said city any such milk."

Which said section and ordinance above set forth was, by a certain resolution, duly passed and adopted by the said Board of Health and by said Health Department, at a meeting thereof duly held in said city on the twenty-third day of February, 1876, added to and made a part of the said Sanitary Code aforesaid, and adopted and declared to form a portion thereof, pursuant to the authority and power conferred by law upon the said Board, and which said ordinance was thereafter duly published once a week, for two successive weeks, in the *City Record*, a daily official newspaper and journal published in the said city, to wit: in the issues of such newspaper of the twenty-fourth day of February, 1876, and also of the second day of March, 1876, and which said Sanitary Code so amended and altered was then and there, at the time of the committing of the offense hereinabove alleged, in full force and operation, and was by law declared to be binding and in force in said city, and which said section and ordinance above set forth was then and there in full force and virtue, having been in nowise altered, amended or annulled by said Board of Health, 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.

0164

BOX:
338

FOLDER:
3193

DESCRIPTION:
Losey, Edward

DATE:
01/31/89

3193

Witnesses;

Thos Curran
Wm Brown
8 P

I recommend that a plea of guilty of robbery in the second degree be accepted
John W. Goff
Asst Dist Atty

Counsel,

Filed 31 day of Jan 1889

Pleads, Not Guilty

THE PEOPLE

vs.

Edward Losey P

Robbery in the ~~FIRST~~ (MOBBY.) *degree.*
[Sections 224 and 228, Penal Code].

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Thos Blowsky
Foreman.
Feby 5/89
Pleads Robbery 2 deg
4 S.P. 5 yrs.
Feby 6/89

0166

Police Court— 2 District.

CITY AND COUNTY OF NEW YORK, } ss

Thomas Conran

of No. 3 Canal Street, Aged 46 Years

Occupation Plumber being duly sworn, deposes and says, that on the 22 day of January 1889, at the 8th Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

Gold and Lorgnet mine of the United States to the amount and value of seventeen dollars, and a silver watch, in all

of the value of Twenty-two DOLLARS,

the property of deponent

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

Edward Losey, now here, and another man whose name is unknown to deponent, for the reasons following, to wit:

That deponent met said Edward and said other man somewhere near Canal and Varick Sts, about midnight. That deponent drank in their company, and remembers having said property in his possession while in their company. That deponent was knocked down while said Edward and said other man was in his company, and after-

Subscribed to before me this day of 188

Police Justice

wards deponent found himself lying in the gutter in ~~[illegible]~~ Charlton Street. That deponent then discovered he had been robbed of said property. That deponent is now here informed that after the arrest of said Edward, by officer Dunn, then present, the annexed piece of paper having written thereon the words and figures as follows— "Johnson & Murphy 268 Market St." in pencil, was found upon the person of said Edward by said officer as he informs deponent. That deponent identifies said piece of paper with said address thereon as being deponents property and being in the possession of deponent while in Company with said defendant.

Sworn to before me this 23d day of Jany 1889 } Thomas Curran

J M Patterson

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named ________ guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of ________ Hundred Dollars ________ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated ________ 188 . ________ Police Justice.

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

Dated ________ 188 . ________ Police Justice.

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

Dated ________ 188 . ________ Police Justice.

Police Court, ________ District.

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

Offence—ROBBERY.

Dated ________ 188
________ Magistrate.
________ Officer.
________ Clerk.
Witnesses, ________
No. ________ Street,
No. ________ Street,
No. ________ Street,
$ ________ to answer General Sessions.

0168

CITY AND COUNTY
OF NEW YORK, } ss.

aged 25 years, occupation Policeman of ~~No.~~ 8th Precinct ~~Street~~, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Thomas Curran and that the facts stated therein on information of deponent are true of deponents' own knowledge.

James J. Dunn

Sworn to before me, this 23 *day of* January 188 9

J. M. Cutson

Police Justice.

0169

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Edward Losey

Question. How old are you?

Answer. 23 years of age

Question. Where were you born?

Answer. Buffalo, N.Y.

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

Answer. 124 Chardon St. about a month

Question. What is your business or profession?

Answer. Teamster

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 was in a saloon with the Complainant and another man, and while I went to the closet the Complainant and the other man went out and I did not see them again. I think the other man gave me the pocket book, but I am not sure.

Edward Losey

Taken before me this 25 *day of* February *188*5

Hanscom *Police Justice.*

0170

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

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 January 23d 188 9 J M Patterson *Police Justice.*

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

to bail to answer by the undertaking hereto annexed.

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

There being no sufficient cause to believe the within named .....

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

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

0171

362

Police Court--- 2nd District. 116

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thos. Curran
& Cayas
Edward Losey
2
3
4

Offence Robbery

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated January 23rd 1889

Pulitzer Magistrate.

Jas Dunn Officer.

Brown 8 Precinct.

Witnesses James J. Dunn
No. 8 Mock Office Street.

No. Street.

No. Street.

$ 1500 to answer G. S.

Comd

0172

0173

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 Losey.

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

Edward Losey

of the crime of ROBBERY IN THE first DEGREE, committed as follows:

The said Edward Losey

late of the City of New York, in the County of New York aforesaid, on the twenty-second day of January in the year of our Lord one thousand eight hundred and eighty-nine, in the night time of the said day, at the City and County aforesaid, with force and arms, in and upon one Thomas Curran in the peace of the said People then and there being, feloniously did make an assault, and ~~promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars~~; one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars; three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each; eight promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each; seventeen promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each; ~~promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars~~; one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars; three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each; ~~United States Silver Certificate of the denomination and value of twenty dollars~~; one United States Silver Certificate of the denomination and value of ten dollars; three United States Silver Certificates of the denomination and value of five dollars each; eight United States Silver Certificates of the denomination and value of two dollars each; seventeen United States Silver Certificates of the denomination and value of one dollar each;

0174

~~United States Gold Certificate of the denomination and value of twenty dollars~~ ; one United States Gold Certificate of the denomination and value of ten dollars ; three United States Gold Certificates of the denomination and value of five dollars each ; and divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of seventeen dollars; and one watch of the value of five dollars

of the goods, chattels and personal property of the said Thomas Curran from the person of the said Thomas Curran against the will, and by violence to the person of the said Thomas Curran then and there violently and feloniously did rob, steal, take and carry away, (the said Edward Lacy being then and there aided by an accomplice actually present, to wit: by a person to the Grand Jury aforesaid unknown);

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

JOHN R. FELLOWS,

District Attorney.

0175

BOX:
338
FOLDER:
3193
DESCRIPTION:
Lyons, Richard
DATE:
01/21/89

3193

Fine not to remitted.
Case was really one of
Robbery.
Witnesses: 123 M.
Michael McLoughlin
Officer Hugh Moffat 27 P

193 Mots

Counsel,

Filed 21 day of Jany 1889

Pleads, Not guilty

THE PEOPLE

vs.

Richard Lyons

Robbery, degree.
[Sections 224 and 22, Penal Code].

JOHN R. FELLOWS,

District Attorney.

21 Feb. 89

A True Bill.

Thos B Woolsey

Foreman.

Mch 7 '89

F 3. March 22. 1889.
Tried and Convicted
Petit Larceny
Pen 1 year & Fine $250.
Mch 25 '89.
RS M

POOR QUALITY ORIGINAL

0176

0177

Court of General Sessions.

The People
against
Richard Lyons.

Michael McLaughlin, 507 East 13 Street, Peddler. About nine o'clock in the evening of the 20th of December, 1888, I met the defendant at a party in a house in 106th Street, between First and Second Avenues. I do not know the number of the house nor the party by whom the room was occupied. I was brought there by a stranger whom I met in a liquor store at the corner of 106th Street and First Avenue. I had been drinking all that day. There were several girls in that party. When I came to said house, the said party had put up a keg of beer. They invited me to drink. I accepted the invitation and spent about an hour and a half with the said party. I had about twenty dollars in silver coins in my right pants' pocket at the time, but I did not know the

money to anyone in the room. When I left, ~~the defendant and another man accompanied me~~ one of the girls brought me to a Second Avenue car, and when I sat in the said car, a few moments after I had entered, the defendant and another man came into the car and addressed me. At 92d street I left the car, and the defendant left the car a few with the other man. They said: Mike, let us have a drink. I assented and invited them to have a drink with me. We went into a liquor saloon, and I treated them a couple of times. On this occasion I exhibited some of my said money. We then left the said saloon together, and at the corner of 92d Street and Second Avenue, each of them took one by one arm and one of them, who held my right arm, put his hand in my right side pants' pocket, gave me a blow in the face with his fist and ran off. The blow knocked me to the ground. The defendant held me by my left arm. He did not run off until the officer

case. I am positive that at the said
column I had about $20 in my
said pocket, and after I had been
knocked down on the side walk
the money was missing. I have
not thrown the defendant prior
to said evening.

Hugh Moffat, patrolman, 27th
precinct. On the 20th of December, 1888,
at about 1.30 A. M., at the corner of
92d Street and Third Avenue. I
saw the complainant being led
by the defendant and another man.
I thought they wanted to bring the
complainant home, as he was very
drunk. They were going through
92d Street towards Second Avenue.
The complainant was resisting against
being led. I kept looking at them,
believing that the complainant merely
acted as most drunken men
do. Very soon, however, the defend-
ant and the other man were push-
ing the complainant up towards
a fence, and I heard the complain-
ant say, You damned thieves, you
have taken all my money! I

the same moment the defendant and the other man ran off simultaneously. The defendant stumbled against the curb stone and fell into the street. The complainant wanted to grab him, and in stooping down, he fell upon the defendant, who got on his feet again and ran towards Second Avenue, where he ran into the hands of another officer who delivered him to me. The other man ran to the foot of 42d Street and escaped. No money was found on the sidewalk. The defendant had only $1 which was in his pocket, when he was searched.

0181

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.
vs.
Richard Lyons

BRIEF OF FACTS.

For the District Attorney.

Dated January 11 1889

Edward Rose

Deputy Assistant.

0182

COURT OF GENERAL SESSIONS-Part 3.

The People of the State of New York, against Richard Lyons.	Before Hon. Randolph B. Martine, and a Jury.

Indictment filed January 21st 1889.

Indicted for Robbery in the 1st degree.

New York March 21st 1889.

APPEARANCES: For the People, Asst. Dist. Atty. John W. Goff.

For the Deft. Mr. Joseph. F. Moss

MICHAEL McLOUGHLIN, a witness for the People, sworn, testified:-

I am a peddler by occupation and live at No. 507 18th Street in this city . On the 19th of December 1888, I was at a party in 106th Street in this city and at that party met this defendant among several others . I had twenty dollars in my posession. I left that party at about twelve o'clock and rode with a young lady as far as 92nd Street. When I got off the car I saw the deft. and another fellow standing on the corner. The young lady disappeared and I went in to a liquor store with those two fellows and had a drink I displayed my money in the store. I was very drunk; I was knocked down and my money taken from me. When my money was taken these men ran away . That is all I remember .

CROSS EXAMINATION:

I have not a very distinct recollection of what I was doing that night; I was stupid drunk . I was peddling Christmas greens that day and had taken in about $30.

HUGH MOFFATT, a witness for the People, sworn, testified:

I am a police officer attached to the 27th precinct. On the morning of the 22nd of December I was in 92nd St. about half past one O'clock. I was going north on Third avenue and when I came to the corner of 92nd St. I halted a little while on the corner, and while stnding there I heard a shuffling of foot steps on the sidewalk to my right, I looked around the corner and I saw three men on the sidewalk. I saw that one of the men was intoxicated and that the other two had him by the arms, one on either side of him; they were pulling him down the street towards Second Avenue and I did not pay much attention, because I thought they were three friends and that the sober ones were taking the drunken man home. I saw that this drunken man resisted to going any further with them and they began to tussle on the sidewalk and I saw these two follows rush him up against a high board fence there and they had a little scrimmage against the fence and I still thought they were three friends . I then heard the complainant say "What are you doing you damn thieves, you have taken all my money" . I started towards the three men and two of them broke away and

ran. Lyons in jumping away struck his foot against the curb and fell into the street and the complainant then made a rush towards Lyons to grab hold of him but he was so intoxicated that he fell on his face in the street; in falling he fell over Lyons and the other man then rushed back and pulled McLoughlin off of Lyons. Then the two of them started to run. I ran after Lyons as he was the nearest one two me and he was caught by another officer at the corner of 93rd St. I never lost sight of him . At the station house McLoughlin accused Lyons of taking twenty dollars from him. Lyons said he did not take it, that if there was any money taken it was the other man took it .

CROSS EXAMINATION:

Lyons was perfectly sober . I did not hear any silver pieces fallon the ground at all . The other man ran towards the Astoria ferry and has not been seen since .

D E F E N C E .

JOHN DUGAN, a junkman of No. 350 e. 53rd St. testified to the good character of the Deft. as did John Grimes of No. 319 E! 93rd St.

SADIE DORAN, a witness for the Deft, sworn, testified:-

I went with the complainant McLoughlin to the party in 106th St. that he has spoken of . I left there in company with him at about eleven o'clock. He was pretty

drunk. We rode in a Second Avenue car to 92nd St. I did not see any silver money in McLoughlin's possession that night . We left a girl named Rose Smith home in 93rd St. and in walking through that street we met Lyons and another young fellow whom I do not know. I tried to put McLoughlin on a car but he fell off on his face and got it cut . I finally went home and left Lyons and the complainant and this other man there.

CROSS EXAMINATION:

I do house work for a living . McLoughlin is a friend of mine and visits at my house . At this party McLoughlin sent out for several things, soda water &c. and paid for them in silver money . I do not know what took place after I left the three men .

ROSE SMITH, a witness for the Deft, sworn, testified;

I also was at theparty spoke of . I left it in company with Sadie Doran, McLoughlin and my borther . Sadie and the complainant rode down in 2nd Avenue car with me as far as ~~93d~~ 92nd St. We met Lyons in 93rd St. I saw Sadie Doran trying to put McLoughlin on a car and he fell off and cut his face . I saw McLoughlin go up 93rd St. and Richard Lyons walked with us as far as 94th St. and left us there . I do not know where the other man went to .

CROSS EXAMINATION :

I went home first and then we came back and myself and my brother started to leaveMiss Doran as far as 97th Street where she could get a car to go home to

105th Street . It was while we were walking towarsds the car stables that Richard Lyons walked with us as far as 94th Street . McLoughlin spent considerable money that night .

RICHARD LYONS, the Deft? sworn, testified:-

I am nineteen years of age. I havenever been arrested before . On the night of the 19th of December I went to this party in L06th ST. I left there after McLoughlin did with an empty beer keg on my shoulder and took it to Keeney's at the corner of 93rd St. and first Avenue . Going up 93rd St. I met the two girls and Mcloughlin. McLoughlin invited us to have a drink but we could not get a place open . One of the girls tried to put him on a car but he was so drunk that he fell off . I went towards 94th St. after the girls but McLoughlin came after me and this other fellow was there, and he wanted us again to have a drink . This fellow had McLoughlin by the arm and McLoughlin had me by the arm; we went to the door of a saloon at 93rd St. but the bartender would not let us in. I then tried to shake McLoughlin off of me, saying that I wanted to go home we then had a squabble and he hollered that he was robbed. Then this other fellow ran away and I ran away too . I did not see McLoughlin have any money and I did not take any money from him . I was quite drunk that night .

CROSS EXAMINATION:

I do not know the name of the man that was with me that night . That testimony is as true as all the rest of the testimony I have given . While in the house where the party was going on McLoughlin was called out by some man and was outside for quite a while I believe if he was robbed that that man robbed him . I never saw the man who was in company with me that night before .

In rebuttal McLoughlin testified that he was called out of the party by his partner in business "Irish Tom" and that he gave him two dollars which he wanted .

The jury returned a verdict convicting the defendant of the crime of petit larceny .

M a r ch 24th 1889 .

In passing sentence upon the prisoner, Richard Lyons, Judge Martine, said:-

The jury in this case, in my judgment, were a great deal more than lenient. They pronounced by their verdict that this man was guilty; now, if he is guilty of anything he is guilty of robbery in one of its degrees In view of allthe circumstances of this case it is possible that a verdict of robbery in the third degree would have been sufficient . The fact is that this man, if guilty at all, is guilty of robbery, because hetook in the night time from the person property. I cannot see how a sensible jury could have come to any other conclusion. Petit larceny in efeffect is nonsense, that is

not what he is guilty of but under the law we had a right to accept such a verdict. There is no grade of crime that is more horrible to my mind than theerime of highway robbery. There are , of course, grades of that crime that are worse than others; it is worse to attack a stranger in the street and rob him, thanx it is where young men who have been drinking and crousing all the evening together rob one of their companions . A person who goes about with other young men from place to place fdrinking and carousing contributes to some extent to what afterwards happens . I think the jury treated this young man very leniently. I dont understand that good character has anything to do with the crime of robbery. When a jury find that a man is guilty I dont see where his good character comes in . The jury took so lenient a view of this case that the Court has little discretion, and the sentence of the Court in this case is that you be confined in the penitentiary for one year and pay a fine of two hundred and fifty dollars and ,stand committed one day for each dollar until the fine be fully paid . I want to say in regard to that fine that I do not impose it because I believe that your circumstances are such that you can pay it. I impose it to the end that there may be imposed upon you additional punishment by way of imprisonment, and there is no use in cases where I impose a fine of the friends of the prisoner coming to me and suggesting that he be discharged because he is unable to pay the fine. I dont

suppose that you are able to pay that fine, but my inten-
is that you shall have that additional amount of pu-
nishment .

Indictment filed Jan.21-1888

COURT OF GENERAL SESSIONS

Part 3.

THE PEOPLE &c.

against

RICHARD LYONS

Abstract of testimony on trial, March 21st 1889, and remarks of Judge Martine in passing sentence, March 24th 1889.

0191

DISTRICT ATTORNEY'S OFFICE.

PEOPLE

vs.

Richard Lynn

Trial Witnesses,

Michael McLaughlin
507 East 13 St

Hugh Moffat
Lyttle Plaintiff

0192

3 / 11

Police Court— 3 District.

CITY AND COUNTY OF NEW YORK, } ss

Michael McLaughlin

of No. 57 East 18th Street, Aged 8 Years

Occupation Waiter being duly sworn, deposes and says, that on the 9th day of December 1888, at the 12th Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful money of the United States of about twenty dollars all in Silver Coins United States Currency Cash

of the value of About Twenty DOLLARS,

the property of deponent who was drunk at the time

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

Richard Lyons now present and another person not arrested acting in collusion that about half past One O'clock A.M. on the Morning of said day as deponent was passing along East 12 Street he was suddenly assailed and assaulted by the defendant and said other, one or both of whom struck deponent and knocked him down. And while down forcibly took from a pocket of deponents trousers the property in question. That deponent is informed by Officer Hugh Moffett 27 Precinct that he saw the defendant & said other person have deponent down in the street and saw one of them

Sworn to before me this 10 day of December 1888

Police Justice.

Police Court, _____ District.

THE PEOPLE, &c.,
on the complaint of

vs.

1 _____
2 _____
3 _____
4 _____

Offence—ROBBERY.

Dated _____ 188

_____ *Magistrate.*
_____ *Officer.*
_____ *Clerk.*

Witnesses, _____ *Street,*
No. _____ *Street,*
No. _____ *Street,*
No. _____ *Street,*
No. _____ *Street,*

$ _____ *to answer General Sessions.*

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

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

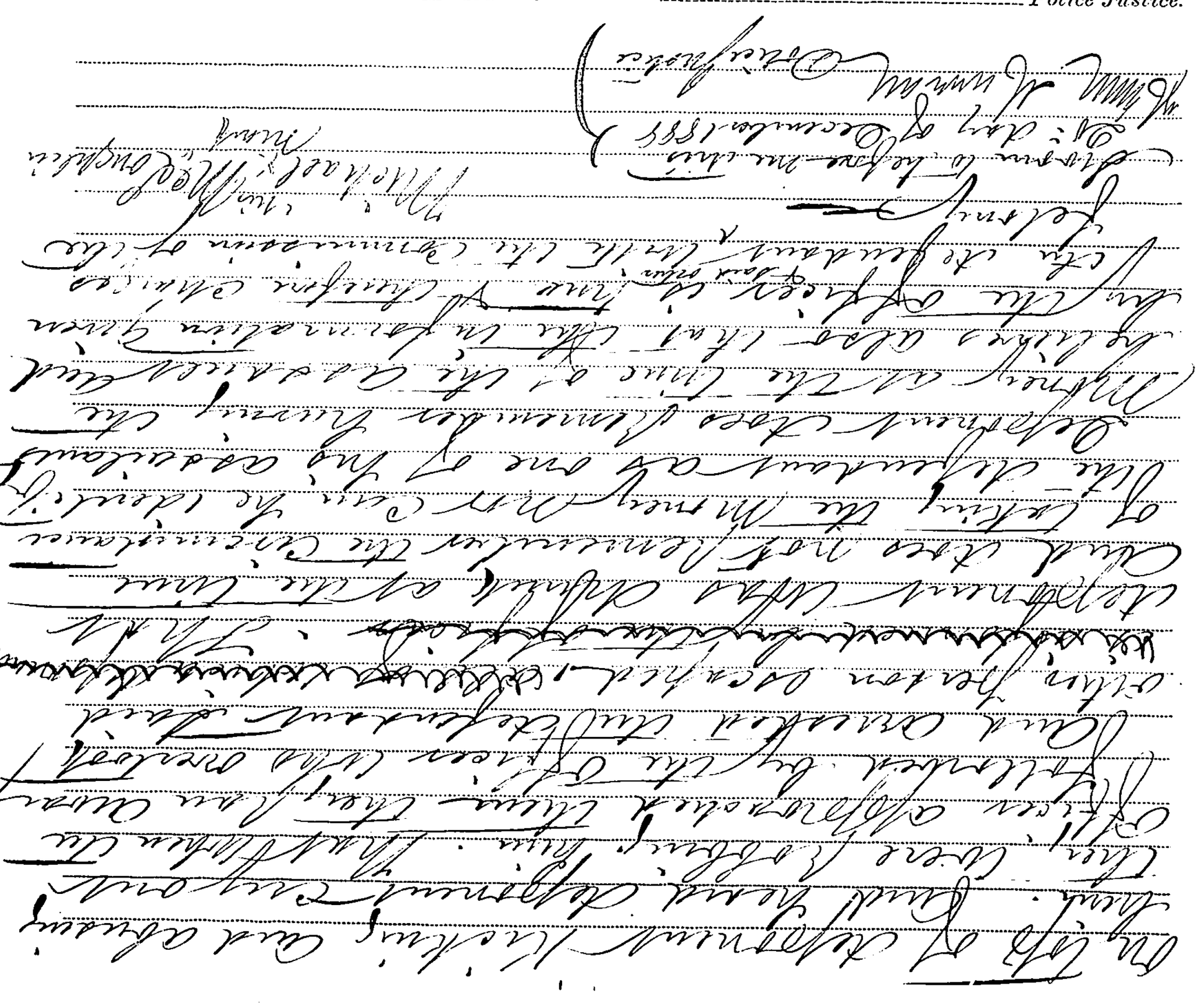
Dated _____ 188 . _____ *Police Justice.*

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

Dated _____ 188 . _____ *Police Justice.*

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

Dated _____ 188 . _____ *Police Justice.*



0194

CITY AND COUNTY OF NEW YORK, } ss.

Hugh Moffett

aged 30 years, occupation Police Officer of ~~No.~~ the 9th Precinct Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Michael McLoughlin and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 20th *day of* December 188 8 } Hugh Moffett

Wm Kinnan

Police Justice.

0195

Sec. 108—200.

CITY AND COUNTY OF NEW YORK, } ss.

5 District Police Court.

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

Question. What is your name?

Answer. Richard Lyons

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. This City

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

Answer. 1680 3rd Avenue

Question. What is your business or profession?

Answer. I drive a car

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 was in company with the defendant drinking all the evening. He brought a keg of lager into a house in East 106 street where a party of Men and Women were assembled who drank, danced, and sang. and got drunk in the place After leaving the place some of the girls went with the complainant to see him on the car on his way home — He afterwards got off the car and became quarrelsome I did not see or take any Money from him If he lost any it must have been through the evening And during the time the drinking was going on when there was Men and Women around him and all joining in the Carousal

R Lyons

Taken before me this day of 188

Police Justice.

0196

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 Richard Lyons

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 December 8 *188*8 Samuel Abrams *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.*

0197

1938 5 1966

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael McLoughlin
307 E. 13th St.

1 Richard Lyons

2

3

4

Offence Assault

BAILED,

No. 1, by John Grimes

Residence 319 East 93d Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated December 20 188 8

Murray Magistrate.

Hugh Moffett Officer.

Precinct.

Witnesses Call the officer

No. Street.

No. Street.

No. Street.

$ 1000 to answer

Bailed

0198

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Richard Rogers

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

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

The said Richard Rogers,

late of the City of New York, in the County of New York aforesaid, on the twentieth day of December, in the year of our Lord one thousand eight hundred and eighty-seven, in the night time of the said day, at the City and County aforesaid, with force and arms, in and upon one Michael McLaughlin, in the peace of the said People, then and there being, feloniously did make an assault, and

[illegible] coming to the United States of America, to a number, kind and denomination to the Grand Jury aforesaid unknown, to the value of twenty dollars;

of the goods, chattels and personal property of the said Michael McLaughlin, from the person of the said Michael McLaughlin, against the will, and by violence to the person of the said Michael McLaughlin, then and there violently and feloniously did rob, steal, take and carry away, the said Richard Rogers from them and there aided by an accomplice actually present, whose name is to the Grand Jury aforesaid unknown;

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

[illegible]
District Attorney