

0231

BOX:

124

FOLDER:

1306

DESCRIPTION:

Balmer, Andrew L.

DATE:

01/14/84



1306

0232

Ind. 1884 #99

Day of Trial,
Counsel, *Maurice J. J. in*
Filed, *14* day of *Jan* 188 *4*
Pleads *not guilty* 107

THE PEOPLE
vs. *B*
Andrew
S. P. Sadman
Assault in the First Degree.
(Exhibit 218)

PETER B. OLNEY,
~~JOHN MCKEON~~
District Attorney.

2 Cells

A TRUE BILL.

M. W. Still
Foreman.

#99

to it is
Off Jas D. D. D.
Harry McLaughlin

0233

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

2 District Police Court.

Andrew L. Balmer 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. *Andrew L. Balmer*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *Scotland*

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

Answer. *116 Charlton St. resided there 11 months*

Question. What is your business or profession?

Answer. *Saloon Keeper*

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*

Andrew L. Balmer

Taken before me this 11

day of October 1888

[Signature]
Police Justice.

0234

St. Vincents Hospital

195 West Eleventh St.

New York, Oct 9th 1883.

To Whom it may concern:

This is to certify that
Henry McLaughlin is a patient
in this Hospital, suffering from
injuries which are very serious
but - not necessarily fatal in
character.

He will not be able to
leave the Hospital for several
days.

Thos. J. Keane M.D.
Physician in Charge.

0235

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ssPOLICE COURT, 2^d DISTRICT.James Duncan, 25 years old, policeman
of the 8th Police Precinct
Street, being duly sworn, deposes and
says that on the day of October 1883

at the City of New York, in the County of New York, he arrested Andrew

J. Balmer, now here, upon a charge
of felonious assault upon the person
of Henry M. Laughlin, who is now
confined in St. Vincent's Hospital
in consequence of injuries alleged
to have been received from said
assault. Said M. Laughlin
informed deponent that said Balmer
had struck him on the head
with an ice pick at No 116
Charlton street at about 10 o'clock
on the ~~evening~~^{night} of October 8th 1883,
deponent prays that said Andrew
J. Balmer may be committed to
await the result of the injuries
of said M. Laughlin

Sworn to before me this
9th day of October 1883

James Duncan

Police Justice
Jon

0236

Police Court 2nd District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Dunne

vs.
Andrew J. Balmer

Dated October 9 1883

Duffy Magistrate.

Dunne Officer.

Witness,

1000 to 1000
1000 to 1000
1000 to 1000

Disposition,

1000 to 1000
1000 to 1000
1000 to 1000

Aluminum Sheet and Rolling

AFFIDAVIT.

0237

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

Andrew L. Palmer

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 Dec 30 188 3 W. A. Duffy Police Justice.

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

Dated Dec 30 188 3 W. A. Duffy 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.

0238

BAILED,
No 1, by Peter Art Kern
Residence 48 Macdonald Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

Police Court--2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Duncan
8 Precinct

Andrew L. Balmer

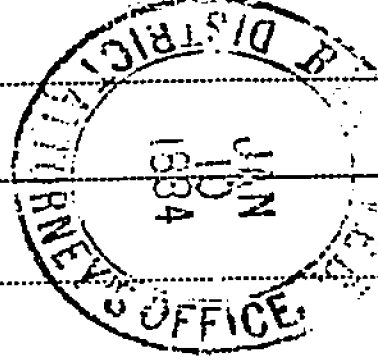
2 _____
3 _____
4 _____

1019
Offence False Imprisonment
Arrested 17 Jan 1884

Dated Dec 30 1883
Duffy Magistrate.
Duncan Officer.
8 Precinct.

Witnesses J. J. O'Seane M.D.
No. St. Vincent Hospital 75th Street.

No. _____ Street.
No. _____ Street.
\$ 1000 to answer 95
Miles



0239

Police Court— 2^d District.

CITY AND COUNTY
OF NEW YORK, } ss.

James May
of No. 305 Charlton Street,
New York City

being duly sworn, deposes and says, that
on the 8th day of October

in the year 1883 at the City of New York, in the County of New York, 116 Charlton Street

he was violently and feloniously ASSAULTED and BEATEN by Andrew

L. Balmer, now here, who
struck deponent on the forehead
with an ice pick inflicting
a severe wound

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 9th day
of October 1883.

James May

[Signature]

POLICE JUSTICE.

0240

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

2d District Police Court.

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

Question. What is your name?

Answer. Andrew L. Palmer

Question. How old are you?

Answer. 25 years,

Question. Where were you born?

Answer. Scotland

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

Answer. No 116 Charlton street; 11 months

Question. What is your business or profession?

Answer. Saloon Keeper

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

Andrew L. Palmer

Taken before me this 2d
day of October 1889

Police Justice.

0241

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 Andrew J. Balmer

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 October 9th 1883 P. H. Coffey 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.

0242

BAILED,

No. 1, by Andrew James

Residence 8 West Third Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court-- 2^d District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James May
505 Charleston
Andrew L. Palmer

2 _____
3 _____
4 _____

Office Holmes
Charles and Betty

Dated October 9th 1883

W. J. P. Magistrate.

James L. Palmer Officer.

pm Precinct.

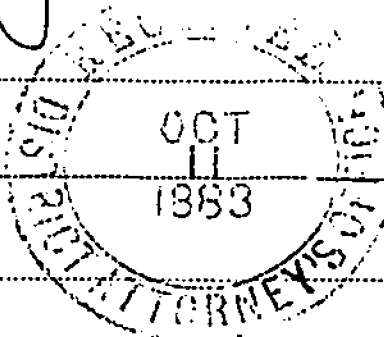
Witnesses John Scott

No. 128 Charleston Street.

No. _____ Street.

No. _____ Street.

\$ 500 to answer g p



0243

Sec. 102.

2 District Police Court.

Undertaking to appear during the Examination

CITY AND COUNTY } ss.
OF NEW YORK, }

An information having been laid before Daniel G. Driffy a Police Justice
of the City of New York, charging Andrew J. Balmer Defendant with
the offence of Assault & Battery

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

We, Andrew J. Balmer Defendant of No. 116
Calcutta Street; by occupation a Balcon Keeper
and Peter Cittern of No. 48 Macdonald
Street, by occupation a Carpenter Surety, hereby jointly and severally undertake that
the above named Andrew J. Balmer Defendant
shall personally appear before the said Justice at the 2nd District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York, the sum of ten
Hundred Dollars.

Taken and acknowledged before me, this 11
day of October 1883 }

D. G. Driffy POLICE JUSTICE

Andrew J. Balmer

Peter Cittern

0244

CITY AND COUNTY
OF NEW YORK, } ss,

day of October
P. G. Duffy
Police Justice.

Sworn to before me, this 11 day of October 1893
the within named Bail and Surety being duly sworn, says, that he is a resident and free holder within the said County and State, and is worth Twenty Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of Home and lot number

48 Macdougall Street New York City
Value nine thousand dollars Mortgage
three thousand dollars no other encumbrance
Peter Aitken

2 District Police Court.

THE PEOPLE, & c.;
ON THE COMPLAINT OF

Undertaking to appear during
the Examination.

vs,

Stephen J. Palmer

Taken the 11 day of Oct 1893

Justice,

Duffy

cf. have copy Mr. Morgan
Clark 2nd Dist. Police
Clark

0245

Not Found Feb 13

PART 2.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPENA
FOR A WITNESS TO ATTEND THE
Court of General Sessions of the Peace.

The People of the State of New York,

To *John Scott*

of No. *128* *Chalton* Street,

N. 21
St 3 Month

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for, the City and County of New York, at the Sessions Building, in the Park of the said City, on the *15* day of *Feb* instant, at the hour of eleven in the forenoon of the same day, to testify the truth, and give evidence in our behalf, against

Andrew L. Palmer

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

Witness, Hon. *FREDERICK SMYTH*, Recorder, of our said City, at the City Hall, in our said City, the first Monday of *Feb* in the year of our Lord 188 *8*

PETER B. OLNEY, ~~JOHN McKEON~~ District Attorney.

0246

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Andrew S. Balmer

The Grand Jury of the City and County of New York, by this indictment, accuse Andrew S. Balmer

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

The said Andrew S. Balmer

late of the City of New York, in the County of New York, aforesaid, on the Eighth day of October in the year of our Lord one thousand eight hundred and eighty three with force of arms, at the City and County aforesaid, in and upon the body of James May in the peace of the said people then and there being, feloniously did make an assault and in the said James May with a certain ice pick which the said Andrew S. Balmer

in his right hand then and there had and held, ~~the same being a deadly and dangerous weapon~~, wilfully and feloniously did beat, strike, ~~stab~~, cut and wound, ~~with intent to kill~~ the said James May ~~the said James May~~ then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT:

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

Andrew S. Balmer

of the CRIME OF Assault in the Second Degree, committed as follows:

The said Andrew S. Balmer, late of the City and County aforesaid

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said James May then and there being, feloniously did, wilfully and wrongfully, make an assault and in the said James May with a certain ice pick which the said

Andrew S. Balmer

in his right hand then and there had and held, the same being an instrument likely to produce grievous bodily harm, feloniously did, wilfully and wrongfully then and there beat, strike, ~~stab~~, cut and wound

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

~~JOHN McKEON, District Attorney.~~

0247

~~Court of Crim~~

~~Isid~~ ~~SECOND~~ COUNT

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

_____ Andrew S. Palmer _____

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

The said Andrew S. Palmer _____

late of the City and County of New York, afterwards to wit: on the Eight
day of October in the year of our Lord one thousand eight hundred and
eighty-three at the City and County aforesaid, with force and arms, in and
upon one James May _____

in the peace of the People of the State of New York then and there being, feloniously
did willfully and wrongfully make an assault: and the said Andrew S.
Palmer, him the said James May _____
~~with a certain~~
~~which~~ ~~the said in~~ ~~right hand then and there laid and held~~, in
and upon the head _____
of him the said James May _____
then and there feloniously did willfully and wrongfully strike, beat, cut _____
bruise and wound, thereby then and there willfully and wrongfully, feloniously inflicting
upon the said James May _____
grievous bodily harm, to wit: striking then and
there striking and wounding
his head _____

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.

PETER B. OLNEY,
~~JOHN McKELON~~ District Attorney.

Officer J. J. Duncan
St. Carry Mac Loughlin

Said court #98

Day of Trial,
Counsel, *Maureen Hayes*
Filed, *14* day of *Jan* 188 *4*
Pleads *Not guilty 1st*

[55217 and 218]
Assault in the First Degree

THE PEOPLE
vs.
Andrew L. Borman

PETER B. OLNEY,
~~JOHN MCKEON~~
District Attorney.

v. Case
A TRUE BILL. *Said court*
Amesbury
Foreman.

#98

0248

0249

KINTZING, SIMONSON & MEYER,
Counsellors at Law,

No. 15 CENTRE STREET,

(Second Floor,)

W. F. KINTZING, }
G. L. SIMONSON, }
MAURICE MEYER. }

NEW YORK.

0250

Sec 563.

7 District Police Court.

UNDERTAKING TO ANSWER

General Sessions.

CITY AND COUNTY }
OF NEW YORK, } ss.

An order having been made on the 30th day of December 1887 by
Patrick G. Duffy a Police Justice of the City of New York. That
Andrew L. Balmer be held to answer upon a charge of

Felonious Assault & Battery

upon which he has been duly admitted to bail, in the sum of Ten Hundred Dollars.

We, Andrew L. Balmer Defendant of No. 466
8 Avenue Street; Occupation Saloon Keeper, and
Peter Catten of No. 48 Macdougall Street;
Occupation Carpenter Surety, hereby undertake jointly and severally,
that the above named Andrew L. Balmer shall appear and answer the charge above-
mentioned, in whatever Court it may be prosecuted: and shall at all times render him self amenable to the orders
and process of the Court; and if convicted, shall appear for judgment, and render him self in execution thereof,
or if he fail to perform either of these conditions that we will pay to the People of the State of New York, the sum
of Ten Hundred Dollars.

Taken and acknowledged before me, this 30th
day of December 1887 }
P. G. Duffy POLICE JUSTICE.

Andrew L. Balmer
Peter Catten

0251

CITY AND COUNTY }
OF NEW YORK } ss

Seen to before me, this
day of November 1888
John J. [Signature]
Notary Public

Peter Aitken

the within named Bail and Surety being duly sworn, says, that he is a resident and free
holder within the said County and State, and is worth Twenty - hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and
liabilities, and that his property consists of House and Lot No.
48 Macdougal Street worth Six
thousand dollars clear of all
incumbrance.

Peter Aitken

New York Sessions.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Undertaking to Answer.

ss.

Taken the _____ day of _____ 188

Justice.

Filed _____ day of _____ 188

0252

DEPARTMENT OF
Public Charities and Correction,
Bellevue Hospital,
Warden's Office,
JAMES F. O'ROURKE,
Warden.
New York, Oct 15 1883

By telegraph from Penitentiary
Blackwells Island at 2 20 P.M.

Harry McLaughlin
is improving but still ailed.

L. L. Seaman M.D.
Chief of Staff
Charity Hospital

0253

Sec. 192.

25 District Police Court.

Undertaking to appear during the Examination

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Patrick G. Ruff a Police Justice
of the City of New York, charging Andrew J. Balmer Defendant with
the offence of Assault with Battery

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

We Andrew J. Balmer Defendant of No. 116
Charlton Street; by occupation a Saloon Keeper
and Peter Aitken of No. 48 Macdougall
Street by occupation a Carpenter Surety, hereby jointly and severally undertake that
the above named Andrew J. Balmer Defendant
shall personally appear before the said Justice at the 2 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York, the sum of ten
Hundred Dollars.

Taken and acknowledged before me, this 11
day of October 1883

Andrew J. Balmer

Peter Aitken

Patrick G. Ruff
POLICE JUSTICE

0254

CITY AND COUNTY { ss,
OF NEW YORK, }

Sworn to before me, this
day of Oct 1893
Police Justice

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

lot number 48 Maedungal
street New York City value
nine thousand dollars
Mortgage three thousand
dollars no other incumbrances

2 District Police Court.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

undertaking to appear during
the Examination.

Andrew J. Boland

vs,

Taken the 11 day of Oct 1893

Justice

Peter Attkin

0255

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Andrew S. Palmer

The Grand Jury of the City and County of New York, by this indictment, accuse Andrew S. Palmer

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

The said Andrew S. Palmer

late of the City of New York, in the County of New York, aforesaid, on the eight day of October in the year of our Lord one thousand eight hundred and eighty three with force of arms, at the City and County aforesaid, in and upon the body of Henry McLaughlin in the peace of the said people then and there being, feloniously did make an assault and in the said Henry McLaughlin with a certain ice pick which the said Andrew S. Palmer

in this right hand then and there had and held, ~~the same being a deadly and dangerous weapon~~, wilfully and feloniously did beat, strike, stab, cut and wound with ~~the same~~ ice pick ~~the said~~ Henry McLaughlin ~~with intent~~ then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT:

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

Andrew S. Palmer

of the CRIME OF Assault in the Second Degree, committed as follows:

The said Andrew S. Palmer, late of

the City and County aforesaid

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

with force and arms, in and upon the body of the said Henry McLaughlin

then and there being, feloniously did, willfully and wrongfully,

make an assault and in the said Henry McLaughlin

with a certain ice pick which the said Andrew S. Palmer

in this right hand then and there had and held, the same being an instrument likely to produce grievous bodily harm, feloniously did, willfully and wrongfully then and there beat, strike, stab, cut 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.

PETER B. OLNEY,

JOHN McKEON, District Attorney

0256

~~Third~~
SECOND COUNT

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

Andrew S. Balmer

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

The said Andrew S. Balmer

late of the City and County of New York, afterwards to wit: on the eight
day of October in the year of our Lord one thousand eight hundred and
eighty-three at the City and County aforesaid, with force and arms, in and
upon one Henry McLaughlin

in the peace of the People of the State of New York then and there being, feloniously
did willfully and wrongfully make an assault: and the said Andrew

S. Balmer him the said Henry McLaughlin
with a certain ice-pick

which he the said in his right hand then and there had and held, in

and upon the head
of him the said Henry McLaughlin

then and there feloniously did willfully and wrongfully strike, beat, cut
bruise and wound, thereby then and there willfully and wrongfully, feloniously inflicting
upon the said Henry McLaughlin
grievous bodily harm, to wit: sharply then and

there cutting and
wounding his head

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.

PETER B. OLNEY,

~~JOHN McKEON~~ District Attorney.

0257

BOX:

124

FOLDER:

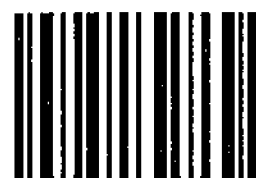
1306

DESCRIPTION:

Bartley, Mary

DATE:

01/15/84



1306

0258

Witnesses :

Louis Langley

Off John O'Connell
10 Park

#125-

Counsel,

Filed 15 day of Jan 1884

Pleads 17th July 1884

THE PEOPLE

vs. F

Grand Larceny 1st degree
[Sections 528, 529, 550 Penal Code].

PETER B. OLNEY,

District Attorney.

22 New York St.

Meado-Rt. Pen. Dir. are
A True Bill.

AMM Little
Foreman.

7720 Aug. 15, 1884
7704, 7705, 7706, 7707
7725 11th Street N.W.

0259

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 34 years, occupation Police officer of No.

10th Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Louis Laszoy

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

Sworn to before me, this 11
day of June 1888

John J. Freed

John J. Freed
Police Justice.

0260

3rd District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss.a *Harrier*
of No. *188 Chrystie* Street,*Louis Laszlay aged 35 years*being duly sworn, deposes and says, that on the *19th* day of *January* 1884

at the _____ City of New York,

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

of deponent *with the intent to deprive the true owner thereof at right time*

the following property, viz :

*One Pearskin Bag of the value of one hundred and fifty dollars, the property of August Brannacher and in care and charge of deponent,**one Silver Watch with gold Chain attached of the value of fifty dollars and one Vest of the value of four dollars,**Quartz Watch Chain & Vest being the property of deponent,**all said property being of the value of two hundred & four dollars*

the property of _____

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 *Mary Bartley (nowhere)**and another person not arrested and whose name is unknown to deponent for the following reasons to wit:**Deponent between the hours of 12 & 1 O'clock on the morning of said 19th day of January 1884 met said Mary & said unknown person in a public Street, deponent at the time was partially intoxicated, and he invited said defendants, to come with him to his Room*

Police Justice,

188

Sworn before me this

0261

at the aforesaid premises, which invitation said defendants accepted, and did accompany deponent to his Room, which at the time contained the within described property. Deponent fell asleep, while said defendants were in deponent's company.

Deponent about 2 o'clock a.m. on said day, awoke, and then & there discovered that said defendants had been gone and said property taken stolen and carried away.

Deponent is now informed by Officer John P. Connel of the 10th Precinct Police that he arrested Mary Bartly one of the defendants, and she acknowledged to him in the presence of deponent that she had possession of said Sealskin Sague, which Sague said officer found in the Pawnshop of Bally Mahon in Delaney Street, and which Sague is the one stolen from the possession of deponent.

Sworn to before me this
11th day of January 1884

John Norman

(Louis Laszlo)
Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0262

Sec. 198—200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Mary Bartley 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. *Mary Bartley*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *New Haven*

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

Answer. *123 Orchard Street 5 months*

Question. What is your business or profession?

Answer. *Dressmaking*

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. *The other woman took the property and she left the bag in my Room*

Mary Bartley
MARY

Taken before me this

day of

1888

Police Justice.

0263

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 Mary Bartly

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 January 11 1884 Wm. H. L. Luman 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.

0264

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court-- 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Louis Longlay
188 Chrysler St.
Mary Bartley

2 _____
3 _____
4 _____

Dated *January 11* 188 *4*

Norman Magistrate
Ched Officer.

10 Precinct.

Witnesses *Said officer*

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *1000* to answer *Genl* Sessions.

Committed



0265

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Mary Barclay

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

Mary Barclay
of the CRIME OF GRAND LARCENY in the *third* degree, committed as follows:

The said *Mary Barclay*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
ninth day of *January* in the year of our Lord one thousand
eight hundred and eighty-*four*, at the Ward, City and County aforesaid, with force and arms,
in the night time of said day
one watchman's sash of the
value of one hundred and
fifty dollars, of the goods
chattels and personal property
of one August Brandcheck and
one watch of the value of thirty
dollars, one chain of the value
of twenty dollars, and one vest
of the value of four dollars

of the goods, chattels and personal property of one *Louis Barclay*
in the dwelling house of the
said Louis Barclay there situate
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.

0266

SECOND COUNT—

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

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

The said Mary Bartley

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

one seal skin raccoon of the
value of one hundred
and fifty dollars

of the goods, chattels and personal property of August Brandcheck

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

August Brandcheck
unlawfully and unjustly, did feloniously receive and have; the said Mary Bartley

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.

PETER B. OLNEY,

District Attorney.

0267

BOX:

124

FOLDER:

1306

DESCRIPTION:

Barwes, Alexander

DATE:

01/23/84



1306

0268

EXCISE VIOLATION—WITHOUT LICENSE.

Police Court—1st District.

CITY AND COUNTY }
OF NEW YORK, } ss.

of No. 4th Precinct Police

Ernst H Meyer. 45 years Policeman

of the City of New York, being duly sworn, deposes and says, that on the 18th day

of January 1884, in the City of New York, in the County of New York, at

No. 103 Cherry Street

Alexander Bares (now here)

did then and there sell, and caused, suffered and permitted to be sold, under his direction and authority, strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be drunk in the house or premises aforesaid without having a proper license therefor contrary to and in violation of law.

Deponent saw said defendant sell Lager beer and receive money for the same

WHEREFORE, deponent prays that said Alexander Bares may be ~~arrested and~~ dealt with according to law.

Sworn to before me, this 19 day of January 1884
Solomon B. Smith Ernst H. Meyer
POLICE JUSTICE

POOR QUALITY
ORIGINAL

0269

Sec. 198-200

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Alexander Barrows 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.

Alexander Barrows

Question. How old are you?

Answer.

43 years

Question. Where were you born?

Answer.

Germany

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

Answer.

87 Oliver St. 3 weeks

Question. What is your business or profession?

Answer.

Waiter

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

Answer.

I am not guilty

Alexander Barrows

Taken before me this *19*
day of *January*
189*8*
at *New York*
City
District Police Justice.

0270

POOR QUALITY
ORIGINAL

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

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

Dated 19 Jan'y 1884 Solomon B. Smith Police Justice.

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

Dated 20 Jan'y 1884 Solomon B. Smith 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.

0271

POOR QUALITY
ORIGINAL

BAILED.

No. 1, by Adolph Baum
Residence 66 Catherine Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court-- First District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Ernest H. Meyer

1 Alexander Barces
2 _____
3 _____
4 _____

Offence Violation
expose Law

Dated 19 January 188 4

S. Smith Magistrate.

Meyer Officer.

if Precinct.

Witnesses _____

No. _____ Street.

No. _____

No. _____ Street,

\$ 1.00 to answer GP

How
Barley

0272

Court of General Sessions of the Peace

OF THE CITY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Alexander Barnes

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

Alexander Barnes

of the CRIME of *Selling Spirituous Liquors* ^{*ale, wine and beer*} *without a License*, committed as follows:

The said *Alexander Barnes*

late of the *5th* Ward of the City of New York, in the County of New York aforesaid, on the *17th* day of *January* in the year of our Lord one thousand eight hundred and eighty *80* at the Ward, City and County aforesaid, certain strong and spirituous liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one time, to

~~and to~~ certain ~~other~~ persons whose names are to the Grand Jury aforesaid unknown, without having a license therefor, as required by law, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

PETER B. OLNEY,

JOHN McKEON, District Attorney.

0273

BOX:

124

FOLDER:

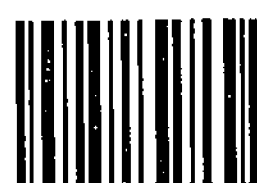
1306

DESCRIPTION:

Beach, James

DATE:

01/29/84



1306

0274

BOX:

124

FOLDER:

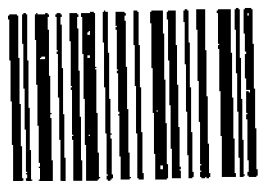
1306

DESCRIPTION:

McSweeney, Edward

DATE:

01/29/84



1306

0275

339
Counsel, W. J. M. and
Filed 29 day of Jan 1884
Pleadings, J. H. G. Co.

THE PEOPLE
vs.
James Beards
and
Edward M. Smith
Buyers in the THIRD DEGREE
and Receiving Stolen Goods,
(Sections 49, 50, 52, 53, 54, and 55.)

PETER B. OLNEY,
~~WHEATON~~ PECKHAM,
District Attorney.

A True Bill.
AM White
Foreman.
J. H. G. Co. 145 gm
Pried V. L. L. Convent
of P. J. S. Bonds.
Ch. W. Acquitted

Witnesses:
D. D. Kappel
Off R. Mulcahy
O. L. Poree.

0276

Police Court—First District.City and County } ss.:
of New York,of No. 44 Forsyth Street, aged 38 years,
occupation Merchant being duly sworndeposes and says, that the premises No 44 Forsyth Street,
in the Tenth Ward
in the City and County aforesaid, the said being a brick buildingand which was occupied ^{in part} by deponent as a work shop for repairing clothing
and in which there was at the time A human being, by name—were **BURGLARIOUSLY** entered by means of forcibly breaking off
the pad lock of the door leading from the
hallway into said premises and entering
thereinon the 20 day of January 1884 in the night time, and the
following property feloniously taken, stolen and carried away, viz:Fifty coats of the value of one hundred
dollarsthe property of deponentand deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away byJames Beach (now here)
and Edward Sweeneyfor the reasons following, to wit: that deponent found a coat
which is a portion of the aforesaid property
in said defendants possessionSworn to before me this 23
day of January 1884Davis & Raffel
his
markP. J. Raffel
Police Justice

0277

Sec. 198-200

CITY AND COUNTY,
OF NEW YORK, } ss.

18 District Police Court.

James Beach being duly examined before the under-
signed, according to law, on the annexed charge: and being informed that it is h 10 right to
make a statement in relation to the charge against h me; that the statement is designed to
enable h me if h me see fit to answer the charge and explain the facts alleged against h me
that he is at liberty to waive making a statement, and that h me waiver cannot be used
against h me on the trial.

Question. What is your name?

Answer.

James Beach

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

Newport Rhode Island

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

Answer.

164 Chatham St. about 3 mos

Question. What is your business or profession?

Answer.

Waiter

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

Answer.

I am not guilty

James Beach

Taken before me this
day of

Police Justice.

0278

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

1 District Police Court.

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

Question. What is your name?

Answer.

Edward Sweeney

Question. How old are you?

Answer.

23 years

Question. Where were you born?

Answer.

New York.

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

Answer.

164 Chatham St (resided there 10 months)

Question. What is your business or profession?

Answer.

Right watchman

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
Edward M. Sweeney*

Taken before me this

day of

188

Police Justice.

0279

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 James Beach

and Edward Sweeney
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 23 Jan'y 1884 J. B. Murphy Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0280

BAILED,
No. 1, by _____
Residence _____ Street,
No. 2, by _____
Residence _____ Street,
No. 3, by _____
Residence _____ Street,
No. 4, by _____
Residence _____ Street,

Police Court-- First District 1033

THE PEOPLE &c.,
COMPLAINT OF

Samuel D. Raffel
44 Foraythe St.

1 James Beach
2 Edward Sweeney
3 _____
4 _____

Office Murphy

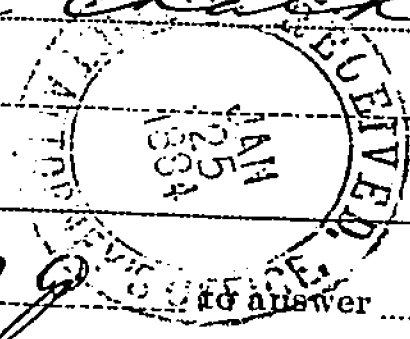
Dated 23 Jan 1884
P. G. Duffy Magistrate.
Richard J. Mulcahy Officer.
Sixth Precinct.

Witnesses Anthony Gillespie
No. 92 Chatham Street.

Patrick Dyrken
No. 92 Chatham Street,

No. _____ Street,
No. _____ Street,

\$ 100 to answer
each
Committed



The People
 vs. James Beach
 and Edward M^c Sweeney
 Indictment for burglary in the second degree &c.
 Davis J. Ruffel, sworn. I am a dealer
 in second hand clothes at 49 Forsythe St.
 I use the first floor and the basement.
 I locked it up on the 20th of January and
 it was about 8 or 9 o'clock in the night.
 I returned in the morning and found
 that broken padlock on the floor and
 a cold chistle. I had fifty coats and a
 rubber coat and they were all gone;
 they were second hand coats and worth
 two dollars a piece. I reported the matter
 at the station house. The burglary was on
 Sunday morning and on Monday the police-
 man showed me two coats at the station
 house which I identified as mine and
 afterwards I saw three more coats in
 Baxter St. at Gutzgig's place which I
 identified as part of the stolen property.
 Richard J. Mulcahey sworn. I was on
 post on the night of the 21st of January on
 Franklin St. about 8 1/2 o'clock and in
 consequence of what a woman told me
 I went to 62 Baxter St. and I saw the
 prisoner Beach there; he had one of the

0282

coats in his possession. The man who owned the store where the prisoner was came to the station house and made a statement to the Sergeant to the effect that the place of a friend of his, was broken into the night previous in Forsythe St. and that coat was one of the stolen coats; he knew it by the number on the sleeve. No 44. The next morning before the Magistrate the complainant identified the coat as his property by the No. on the sleeve. Anthony Gillespie, sworn and examined. I work for Frank J. Chase 250 Greenwich St. in the fruit business. I know Mc Sweeney two years. I saw him the Wednesday following the burglary up where he works, 164 Chatham St., a lodging house. He says, I have a nice coat, if it fits you, you can have it. I gave it to another man and he was arrested, Patrick Durken; it was a frock coat. I gave it to Durken the same evening, about half an hour afterwards. Patrick Durken sworn. I work around the market. I know Gillespie; he gave me a coat two or three weeks ago; he told me it was too big for him and it was too big for me and I took it down to a store in Baxter St. to sell it. As soon as I

0283

came out the officer arrested me. I did not know the coat was stolen. I saw Raffel at the station house the next day, Monday. Patrick English sworn. I was in the Police Court when M^c Sweeney was arraigned and Raffel identified the coat; that was on the 22nd of January. M^c Sweeney said that a few nights before that the coats were brought to his place between two and three o'clock in the morning by a man whom he did not know who left them in his charge. I asked him to give me a description of the man; he said he would not tell anything till he got to the station house; he said it was quite a bundle. Cross Examined. I know that he has got charge of Mrs. Lamb's lodging house. He said to me that a man who lodged there came and left a bundle and that he left it in the baggage room; he said the man came in with the bundle between two and three o'clock in the morning. The lodgers are generally in by twelve o'clock. He said it was a bundle of coats. He said, I won't tell you any more until I go to the station house. When he went to the station house he gave a description of the man; he said the other Bookkeeper would tell

0284

Testimony in the case
of Beach & Edward
McSweeney.
Filed Jan. 1884.

0285

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Beach and
Edward McSweeney

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

James Beach and Edward
McSweeney of the CRIME OF BURGLARY IN THE THIRD DEGREE,

committed as follows:

The said *James Beach and*
Edward McSweeney
late of the *Tenth* Ward of the City of New York, in the County of New York,
aforesaid, on the *twenty* day of *January* in the year of our Lord one
thousand eight hundred and eighty *four* with force and arms, at the Ward,
City and County aforesaid, the *shop* of

Davis D. Rappel
there situate, feloniously and
burglariously, did break into and enter, the same being *a part of* a building
in which divers goods, merchandise, and valuable things were then and there kept
for use, sale and deposit, to wit: the goods, chattels, and personal property hereinafter
described, with intent the said goods, chattels, and personal property of the said —

Davis D. Rappel
then and there being, then and there
feloniously and burglariously to steal, take and carry away, and *twenty*

coats of the value of ten
dollars each

of the goods, chattels and personal property of the said

Davis D. Rappel

so kept as aforesaid in the said *shop* 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.

0286

And the Grand Jury aforesaid, by this indictment, further accuse the said
James Beach and Edward
Mc Sweeney
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said James Beach and
Edward Mc Sweeney
late of the Ward, City, and County aforesaid, afterwards, to wit: on the day and in
the year aforesaid, with force and arms, at the Ward, City, and County aforesaid,

one coat of the value
of two dollars

of the goods, chattels and personal property of

Davis D. Rabbel

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before
feloniously stolen of the said Davis D. Rabbel

unlawfully and unjustly, did feloniously receive and have (the said James

Beach and Edward
Mc Sweeney

then and there well knowing the said goods, chattels, and personal property to have
been feloniously stolen), against the form of the Statute in such case made and pro-
vided, and against the peace of the People of the State of New York, and their dignity.

PETER B. OLNEY,

~~JOHN McKEON,~~

0287

BOX:

124

FOLDER:

1306

DESCRIPTION:

Beaufort, Jane

DATE:

01/23/84



1306

Witnesses:

Andrew J. Mc Garry

Officer Geo. W. Richards

corroborates

#267

Counsel, J. W. O. Galtland
Filed 23 day of Aug 1884

Pleads M guilty 34

THE PEOPLE

vs.
P

James
Franklin

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

PETER B. OLNEY,

District Attorney.

P & Saw 34/84
pleads guilty of an attempt,
A True Bill.

Wm W. Little
Foreman

County Prison 20 days.

0200

0289

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, ss.39 years
of No. 100 West 19th Street, Managerbeing duly sworn, deposes and says, that on the 18th day of January 1884
at the day time in the City of New York,

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

of deponent with intent to deprive the true owner thereof,
the following property, viz:One Seal Skin Baggage of the
value of One hundred and forty
five dollarsthe property of Benjamin Altman and David
Horn Kirby, Co-Partners, doing business
under the firm name of B. Altman & Co.
and that this deponenthas a probable cause to suspect, and does suspect, that the said property was feloniously taken,
stolen, and carried away by Jane Beaufort, nowhere, for the reasons following, to wit:
That deponent had then charge of
the Fire Department in the store of
said firm on the corner of 19th Street
and 6th Avenue. That said deponent
entered said store about the hour of
4 1/2 o'clock P. M. of said day and
perceived some goods ordering them
sent to 512 West 12th Street. That
when leaving the Fire department
in said store she picked up said

0290

Real Mini Pagnon and Concealing it
under a Robbery of her own
which she carried on her arm
washed out of said department
on the second floor in the room of
the store and down the stairs to the
front door of the store and through
the inside door into the vestibule
where a dependent apprehended her
with said stolen Pagnon in her
possession.

And I, J. S. Garvey
Sworn to before me this
19th day of February 1884
J. M. Patterson
Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

28.

AFRIDAVID-Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0291

Sec. 198-200

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Jane Beaufort being duly examined before the under-
signed, 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 *h* 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 *h* *er* waiver cannot be used
against *h* *er* on the trial.

Question. What is your name?

Answer. *Jane Beaufort*

Question. How old are you?

Answer. *33 years of age*

Question. Where were you born?

Answer. *Germany*

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

Answer. *512 West 12 St. Six months*

Question. What is your business or profession?

Answer. *Housekeeper*

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*
Jane Beaufort

Taken before me this

19

day of

188

John J. Sullivan
Police Justice.

0292

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 _____

_____ *Jane Beaufort*
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 *January 13* 188 *J. M. Patterson* Police Justice.

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

Dated _____ 188 . _____ Police Justice.

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

Dated _____ 188 . _____ Police Justice.

0293

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court L District. ¹⁰⁴⁵

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Andrew J. McGarvey
100 N. 19 St.
Jane Beaufort

2 _____
3 _____
4 _____

Offence Mind & Larceny

Dated Jan'y 19th 188 4

Patterson Magistrate.

Richards Officer.

C. C. Precinct.

Witnesses Geo. W. Richards

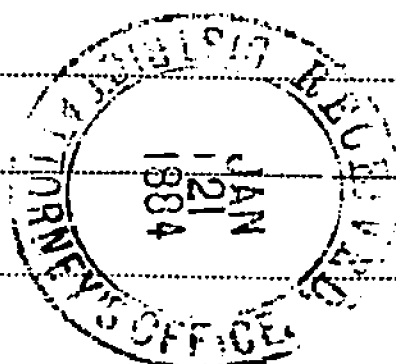
No. 300 Mulberry Street.

No. _____ Street.

No. _____ Street.

\$ 1000. to answer G. S.

Comul



0294

COURT OF GENERAL SESSIONS.

THE PEOPLE OF THE STATE OF NEW YORK

vs.

JANE BEAUFORT.

CITY & COUNTY OF NEW YORK, SS.

ALBERT SCHAER, being duly sworn, deposes and says:- I reside at No. 249 Newark Avenue, Jersey City, New Jersey; I carry on the business of a butcher shop at No. 447 Grove Street, Jersey City, New Jersey, with GEORGE HESSEN. I am the husband of JANE BEAUFORT, the defendant herein; I married her not less than seven years ago, and have lived with her continuously ever since, and up to the time of her arrest herein. Her real name is AUGUSTA SCHAER. I have known her for eight years, that is I became acquainted with her a year before our marriage. She was a widow when I married her. She now has two children, one, fifteen years old, by her former husband, and one, six years old, by me. During my acquaintance and married life with defendant, she has always been a dutiful and affectionate wife and mother. I have never had the slightest suspicions that she would

0295

2

commit a crime or do an intentional wrong of any kind, or be unfaithful to me in any respect. I know that she has never had a criminal charge of any kind made against her previous to or except the one herein, and that she was never arrested before since my acquaintance with her; and in her life as I believe and as far as I know. I know defendant's family and know that it is well to do and respectable. Her parents live in or near Galena, Illinois, and have there in the same place for the last fifteen years. Her father is a builder and cultivates a small farm which he owns. I know of no reason why defendant should wish to steal. We have lived most comfortably and happily together and have always been respected by our acquaintances and have clothed and fed ourselves according to our desires and comfort. Should defendant be sentenced, I feel that the disgrace would be terrible in itself and its consequences, both to me and our children. Should she not be sentenced I myself feel confident that she would again become a source of happiness and comfort to her family and would not again depart from the rectitude which she has maintained since I have known her.

Sworn to before me this
30th day of January
1884.

Albert T. Moore
Notary Public
Kingsbury.
cert. 10/1/83

Albert Schaefer

0296

C O U R T O F G E N E R A L S E S S I O N S
O F T H E P E A C E .

THE PEOPLE OF THE STATE OF NEW YORK,

vs.

J A N E B E A U F O R T .

CITY AND COUNTY OF NEW YORK, SS:

GEORGE CARLTON COMSTOCK being duly sworn deposes and says: That he resides at 23 East 75th Street, New York City; that he is an Attorney at Law, and is associated in business with SULLIVAN & CROMWELL, having their offices at 3 Broad Street in said City; that he is personally acquainted with the defendant herein, and has known her for the three years last past; that her real name is AGUSTA SCHAEER and that she resides at 249 Newark Avenue, Jersey City, N. J., with her husband ALBERT SCHAEER and two children aged 15 and 6 years respectively, where she has resided for the time deponent has known her; that deponent became acquainted with her through relations as an Attorney with her husband and herself in his business as a butcher and sausage manufacturer in Jersey City; that deponent has seen her and her husband many times since and during deponent's ac-

0297

quaintance with them; that deponent knew said ALBERT
SCHAER to be an honest, respectable and industrious cit-
izen, and of good moral character; and that during de-
ponent's said acquaintance the defendant has always been
respected and believed to be an excellent wife and mother
and an industrious and moral woman in every respect;
and deponent has never had the slightest reason to think
otherwise of her heretofore; deponent knows further
that during his acquaintance with defendant and her hus-
band, their married life has been a happy one, and that
they have lived comfortably with sufficient means to
satisfy all reasonable desire, and deponent cannot con-
ceive of any reason why defendant should commit the c
crime alleged herein; deponent further states that he
knows that no charge has been preferred against either
defendant or her husband during his acquaintance with
them of a criminal or dishonest nature; and deponent
has never heard the slightest breath of suspicion against
the plaintiff heretofore, and deponent fully concurs in
all the alligations contained in the affidavit of said
ALBERT SCHAER hereto annexed and verified January 30th,
1884, as would come within his knowledge or might occur
during deponent's acquaintance with said SCHAER, and the
defendant herein.

Sworn to before me this
30th day of Jan'y 1884
Albert Moore
Notary Public
Kings County
Calif. N.Y.C.
Geo. Carlton

0298

COURT OF GENERAL SESSIONS
OF THE PEACE.

THE PEOPLE OF THE STATE OF NEW YORK

vs.

JANE BEAUFORT.

CITY AND COUNTY OF NEW YORK, SS:

FRANK PETERELLY being duly sworn deposes and says: That he resides at **8 Downing Street* New York City; that he is Proprietor of a Restaurant and Billiard Saloon and does business at No. 7 Sixth Ave. said City; that he is acquainted personally with the defendant herein whose real name is AGUSTA SCHAER and her husband ALBERT SCHAER; that he has known them intimately for not less than *seven* years last past; that during this time he has known said defendant to be a woman of high character, and of his own knowledge that no charge of a criminal or other nature has ever been preferred against her; that he knows that her said husband is a most respectable and trustworthy citizen; that his married life has been as happy as could be desired and that defendant has always acted as the wife of an excellent and industrious man should.

*Sworn to before me this
30th day of January 1884.*

0299

2
That deponent has read the affidavit of ALBERT
SCHAER hereto annexed, ^{verified Jan. 30th 1884} of JACOB F. WAHRENBERGER and
GEORGE C. COMSTOCK verified ^{as hereto annexed} respectively January 29th
Jan. 30th, 1884, and knows the contents thereof and fully
concurs in the allegations therein set forth; and of
his own knowledge alleges that the same are true.

Sworn to before me this
30th day of January
1884.

Frank Patterson

Albert T. Morris

Notary Public

King County
Washington

0300

Court of General Sessions
of the Peace.

The People of the
State of New York
vs.
Jane Beaufort

City & County of New York ss:
Jacob F. Wahrerberger

being first duly sworn, deposes &
says: I reside at N^o 150 Greenwich
Street in said City, where I keep
a hotel and boarding house. I
own real estate in this City.

I am well acquainted with
the defendant herein whose real
name is Augusta Schaer, and
have known her for seven years.

I know that her reputation
was that of a respectable, in-
dustrious and proper house wife
and mother. I have never
heard anything against her, or
ever had reason to suppose that
she could do a criminal act.

I have known her husband, ^{Albert Schaer} inti-
mately, for at least ten years,
and know that he has been a
respectable, honest and hard working
man. I have always believed,
and with reason, that the married

life of defendant and her husband was happy and domestic, and have always understood so from Mr. Schaer aforesaid. I know that they have always had the comforts of life, and have always been able to gratify their reasonable desires, and I can conceive of no reason why the defendant should desire to commit any

Crime
Subscribed and
sworn to before me
this 30th day of
January 1884

Jacob F. Wahrburger

Albert T. Moorey.

Notary Public, Kings County.
City of N.Y.

City and County of New York ss:

John Frierabend being first duly sworn, deposes and says:

I reside at No 115 Cannon Street in said City. I am President of the Swiss-American Publishing Company, of New York, and Editor of "Amerikanische Schweizer Zeitung," the Swiss organ of this City.

I have read the foregoing affidavit of Jacob F. Wahrburger, and the annexed affidavit of Albert Schaer, and know the contents of the same. I have known the defendant

0302

herein, whose real name is
Augusta Schaer for the last six
years. I fully concur in, of
my own knowledge, the affidavits
aforementioned, and of my own
knowledge state that the same
are true, for the six years of my
acquaintance with said defendant.
Subscribed and
sworn to before me }
this 30th day of } *Alfred J. Schuch*
January 1884

Albert J. Schuch

Notary Public

King's County

City of New York

City and County of New York ss:
Joseph Schwarz
being first duly sworn deposes and says:
I reside at N^o 334 1/2 Seventeenth Street, (West)
in said City, and am engaged in business
at N^o 96 Greenwich Street, in said City, as whole-
sale tobacco dealer.

I have read the annexed and foregoing affi-
davits of Jacob F. Wahrenberger & Albert
Schaer, and know the contents thereof.

I have known the defendant herein,
whose real name is Augusta Schaer,
for the last twelve years. I fully
concur in, of my own knowledge, the
affidavits aforesaid, and of my own

0303

knowledge state that the same are
true, both for the times therein men-
tioned, and for the full period of
my acquaintance with her, during
all of which time she has been an
industrious and honest woman.

Sworn to before me this } Delo & Schuyler
31st day of January 1884 }

Albert T. C. C. C.

Notary Public

Kings County

at New York

0304

Court of General Sessions
of the Peace.

The People of the State
of New York

vs.
Jane Beaufort.

City and County of New York ss:

John J. Gerber,

being first duly sworn, deposes
and says: I reside at No. 28 St.
Marks Place, in said City; and
am a freholder in this City.

I am a member of the firm of
J. & J. Gerber, importers, at No. 207
Duane Street, this City.

I am personally acquainted
with Jacob F. Wahrenberger, John
Feierabend and Frank Peterally,
whose affidavits are hereto annexed,
and believe the signatures thereto to
be genuine. I know said
deponents to be men of unim-
peachable veracity, and would
believe any allegations they might
make, or have made, as if I made
them myself.

Sworn to before me this 30th
day of January, 1884

Albert T. Tennyson
Notary Public

City of New York. Kings County.

John J. Gerber

0305

Court of General Sessions
of the Peace.

The People of the State of
New York

vs.

Jane Beaufort

City & County of New York, ss:

Dorothea Younker,
being duly sworn, deposes and
says: I am eighteen years of age
and am temporarily visiting my
sister, the defendant herein, at
#249 Newark Avenue, Jersey
City, New Jersey. My permanent
home is with my parents, who
reside at Galea, Illinois. My
father is a builder there and owns
a house and some land which he
cultivates. I know that no member
of our family ever had a criminal
charge of any kind preferred against
them; none ~~have~~ of us including
my sister, the defendant, have ever
had anything but pleasant and
happy relations toward each other.
I have never heard anything wrong
spoken of my sister except the
charge herein and have never had a
suspicion that she could be guilty
of any crime. I know Mr. Schaer

0306

the defendant's husband, to be a
respected, honorable, industrious
man and that she is exceedingly
fond of his family and is bound
up in them. I have read his
affidavit verified January 29th
1884, and fully concur in all
its statements and I know further
that my sister, the defendant, has
never before been arrested or
threatened with arrest.

Sworn to before me

this 30th day of January, 1884

Abner T. Moberg

Notary Public

King County

and my Co.

Dorathia Young

0307

Court of General Sessions.

The People of the
State of New York

vs

James Deaufort.

Affidavit on behalf
of defendant.

0308

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Jane Seafort

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

Jane Seafort
of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said Jane Seafort

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
Eighth day of January in the year of our Lord one thousand
eight hundred and eighty-four, at the Ward, City and County aforesaid, with force and arms,

one real skin racquet of the
value of one hundred
and forty-five dollars

of the goods, chattels and personal property of one Benjamin
Altman

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.

Peter B. O'Leary
District Attorney

0309

BOX:

124

FOLDER:

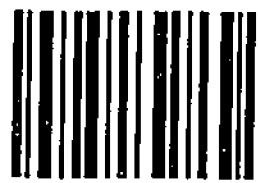
1306

DESCRIPTION:

Bell, Jennie

DATE:

01/18/84



1306

Witnesses:

Emma Drelke

could
by 6/1/88
I advise the discharge
of this defect on her
personal recognizance.
I presented to the People
and feel sure that no
connection can ever be had.

Attest
A. H. Drelke

193
C. H. Drelke

Counsel,

Filed 18 day of Jan 1884

Pleads

Not guilty (tr)

THE PEOPLE

vs.

P

Emma

Drelke

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

PETER B. OLNEY,

JOHN MCKEON,

In 1884 before District Attorney.

Noted and by the (C) on her bar (a)
A True Bill. Dec 1/1884.

John McKee

Foreman.

Jan 25/84.

Specimen of my discharge

Jan 25-1884

For 6/1/88

Wed. Feb. 6. 1884 Jan 5. 1884

0311

Police Court—2^d District.

CITY AND COUNTY {
OF NEW YORK, } ss.

of No. 127 West 32^d Street,

aged 28 years, Landress, being duly sworn, deposes and says, that

on Monday the 14th day of January

in the year 1884 at the City of New York, in the County of New York,

She was violently and feloniously ASSAULTED and BEATEN by Jennie
Bell, now here, who did
wilfully and maliciously
cut and wound deponent
on the left cheek with
the blade of a razor,
which razor she, Jennie,
then held in her hands,
and with which she did
so assault and beat deponent

with the felonious intent to ~~take the life of deponent~~ ^{deponent} to do her 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 15th day
of January 1884

Emily Walker

M. W. Patterson

POLICE JUSTICE.

0312

Sec. 198-200

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Jennie Belle being duly examined before the under-
signed, 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 her 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.

Jennie Belle

Question. How old are you?

Answer.

26 years of age

Question. Where were you born?

Answer.

United States

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

Answer.

178 Thompson St. Newark

Question. What is your business or profession?

Answer.

Domestic

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

Answer.

I am not guilty.

Jennie Belle
Mark

Taken before me this

13

day of

January

188

John J. McQuinn
Police Justice.

03 13

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 Jennie Bell

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 January 15 188 4 A. J. 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.

0314

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court 2 District 1034

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Emma Walker
148 Mc Dougall St
Jennie Bell
Offence

Dated January 15 188 4

Patterson Magistrate.

Thomas Scullin Officer.

15 Precinct.

Witnesses Ella Patterson
144 Minetta St

No. Ed 2 1/2 P.M. Street.

Street.

No. _____ Street.

\$ 1000. to answer G.S.

Comd

03 15

New York Jan 29th 1884

To the Honorable District Attorney

You have a prisoner
by the name of Annie Bell who
is charged with assaulting another
Girl by the name of Annie Walker
Annie Bell is a noted character
as she has served 1 year in the
Penitentiary for robbing a man
in the 8th Ward. She gave the
name then as Annie Dobson and
was discharged last Spring.

She also had to leave Philadelphia
for Cutting a woman there, she
is a noted thief. the reason why
she has not been prosecuted before
this that her Colored Lovers
down town say they have influence

03 16

enough to get her out

I as a respectable Citizen having found out the character of this woman thought it best to write to you and let you know the character of this woman and for ^{you} get the Officer that arrested her and probably he might give you some information about her

I remain Your
Obedient-Servant
A. Resident of Thompson St

0317

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Jennie Bell

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

Jennie Bell

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

The said Jennie Bell

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-four with force and arms, at the City and County aforesaid, in and upon one

Emily Walker

in the peace of the people of the said State then and there being, feloniously did
willfully and wrongfully make an assault: and the said Jennie

Bell

with a certain razor which she the said

Jennie Bell

in her right hand then and there had and held, the same being then and there an

instrument likely to produce grievous bodily harm, her,

the said Emily Walker then and there feloniously

did willfully 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.

03 18

SECOND COUNT

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

Jennie Bell —

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

The said Jennie Bell —

late of the City and County of New York, afterwards to wit: on the fourteenth
day of January in the year of our Lord one thousand eight hundred and
eighty-four at the City and County aforesaid, with force and arms, in and
upon one Emily Walker —

in the peace of the People of the State of New York then and there being, feloniously
did willfully and wrongfully make an assault: and the said Jennie
Bell — her the said Emily Walker
with a certain razor —
which she ~~held~~ in her right hand then and there had and held, in
and upon the head —
of her the said Emily Walker —
then and there feloniously did willfully and wrongfully strike, beat, — cut,
bruise and wound, thereby then and there willfully and wrongfully, feloniously inflicting
upon the said Emily Walker —
grievous bodily harm, to wit: thereby then and

there cutting and wounding
her cheek —

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.

PETER B. OLNEY,
~~JOHN McKEON~~, District Attorney.

03 19

BOX:

124

FOLDER:

1306

DESCRIPTION:

Benesch, Charles

DATE:

01/10/84



1306

0320

Witnesses:

Pauline Bensch

D. H. Sullivan

Counsel,

Filed 10 day of

1884

Pleads

Not guilty (4)

THE PEOPLE

vs.

P

Charles

Bensch

Assault in the Second Degree.

(Section 218, Penal Code)

PETER B. OLNEY,

~~JOHN MCKEON~~

District Attorney.

Pr. Aug 25/84.

Indictment returned.

A True Bill.

[Signature]

Foreman.

July 22-1884 No. 23 on

10-20 1884 No. 23 on

10-20 1884 No. 23 on

25

Page 25

A. 61

0321

Police Court— 3rd District.

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

a Housekeeper
of No. 428 5th

Pauline Bernesck aged 40 years

Street,

being duly sworn, deposes and says, that
on Saturday the 29th day of December
in the year 1883 at the City of New York, in the County of New York,

She was violently and feloniously ASSAULTED and BEATEN by

Charles Bernesck (now here)

*who cut deponent in the right
arm with a carving knife he
held in his hand, and he did
commit said assault*

with the felonious intent to ~~take the life of deponent, or to do him~~ ^{grievous} bodily harm; and with out 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 30 day
of December 1883 }

Pauline L. Bernesck
M. W. R.

M. Patterson POLICE JUSTICE.

0322

Sec. 198-200

CITY AND COUNTY
OF NEW YORK,

District Police Court.

Charles Benesch

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

Question. What is your name?

Answer. *Charles Benesch*

Question. How old are you?

Answer. *55 years*

Question. Where were you born?

Answer. *Austria*

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

Answer. *428 5th Street of Manhattan*

Question. What is your business or profession?

Answer. *agent & collector of the Metropolitan Life Insurance Company*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 my wife the complainant
had the knife in her hand to throw
at me, I held her right arm and
she had the knife in her left hand
she made an attempt to cut me,
and she cut herself.*

Charles Benesch

Taken before me this

30

day of

December 1888

Police Justice.

0323

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 Charles Benesch

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 20 1883 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.

0324

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court-- 3 District. 943

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Pauline Benesch
428. vs. 5 St
Charles Benesch

1 _____
2 _____
3 _____
4 _____

Offence Fel. assault
& Battery

Dated Dec 30 1893
Patterson Magistrate.
Murphy Officer.
Steamboat Square Precinct.

Witnesses _____
No. _____ Street.

No. _____ Street,
DEC 31 1893

No. _____ Street.

\$ 1000. to answer Gov. Sessions.

Comd

0325

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles Benesch

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

Charles Benesch

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

The said Charles Benesch

late of the City and County of New York, on the ~~twenty ninth~~ day of ~~December~~, in the year of our Lord one thousand eight hundred and eighty ~~three~~ with force and arms, at the City and County aforesaid, in and upon one

Pauline Benesch

in the peace of the people of the said State then and there being, feloniously did willfully and wrongfully make an assault: and the said Charles

Benesch

with a certain Knife which the said

Charles Benesch

in his right hand — then and there had and held, the same being then and there an instrument likely to produce grievous bodily harm, ~~her~~, the said Pauline Benesch then and there feloniously did willfully and wrongfully strike, beat, ~~stab~~, 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.

0326

SECOND COUNT

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

_____ Charles Benesch _____

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

The said _____ Charles Benesch _____

late of the City and County of New York, afterwards to wit: on the 29th day of December in the year of our Lord one thousand eight hundred and eighty-three at the City and County aforesaid, with force and arms, in and upon one Pauline Benesch _____

in the peace of the People of the State of New York then and there being, feloniously did willfully and wrongfully make an assault: and the said Charles Benesch, then the said Pauline Benesch with a certain knife which he held in his right hand then and there had and held, in and upon the right arm of her the said Pauline Benesch then and there feloniously did willfully and wrongfully strike, beat, stab, bruise and wound, thereby then and there willfully and wrongfully, feloniously inflicting upon the said Pauline Benesch _____ grievous bodily harm, to wit: thereby then and there cutting and wounding her arm _____

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.

PETER B. OLNEY,
~~JOHN McKEON~~, District Attorney.

0327

BOX:

124

FOLDER:

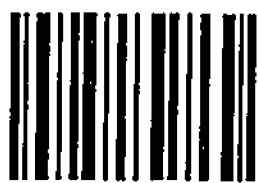
1306

DESCRIPTION:

Berghauser, John

DATE:

01/14/84



1306

Off. J. Cummins
J. J. Green

Day of Trial, *Checkler Bros*
Counsel,

Filed 14 day of Jan 188 4

Pleads *Propriety (No)*

THE PEOPLE

vs.

John

Bartholomew

Violation of Excise Law.

(Sunday.)

H. R. S. 1983 621

1989 45

PETER B. OLNEY,

JOHN MACKEN

District Attorney.

A True Bill.

Amurville

Foreman.

#170

0328

0329

Police Court

2 District.

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

James Cummis Key
of the City of New York, being duly sworn, deposes and says, that on Sunday the 30 day
of December 1883, in the City of New York, in the County of New York,
at premises 183 Prince Street,
a place where intoxicating liquors and wines were kept for sale, and sold as a beverage,
John Berg Hauser [now here]
did then and there expose for sale and did sell, caused, suffered and permitted to be sold, and given away under his
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, to be drunk in
the house or premises aforesaid, contrary to and in violation of law; and did not keep said place closed on said
Sunday the 30 day of December 1883 as required by law.
WHEREFORE, deponent prays that said John Berg Hauser
may be arrested and dealt with according to law.

Sworn to before me, this 31 day of December 1883, James Cummis Key

P. J. Ruffey
POLICE JUSTICE.

0330

Sec. 198-200

2 District Police Court

CITY AND COUNTY }
OF NEW YORK, } ss.

John Berghauer 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 Berghauer

Question. How old are you?

Answer.

48 years

Question. Where were you born?

Answer.

Germany -

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

Answer.

183 Penn St resided there 4 yrs

Question. What is your business or profession?

Answer.

Signer

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 Berghauer

Taken before me this

31

day of December 1883

Police Justice.

0331

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

Dated Dec 31 188 B. P. Dwyer Police Justice.

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

Dated Dec 31 188 B. P. Dwyer 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.

0332

BAILED.

No. 1, by

Residence 136 Sullivan Street.

No. 2, by

Residence _____ Street.

No. 3, by

Residence _____ Street.

No. 4, by

Residence _____ Street.

Police Court 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James C. Cunniff
8th Precinct
John Berghauer

2

3

4

Dated

December 31. 1883

Magistrate.

Officer.

80 Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

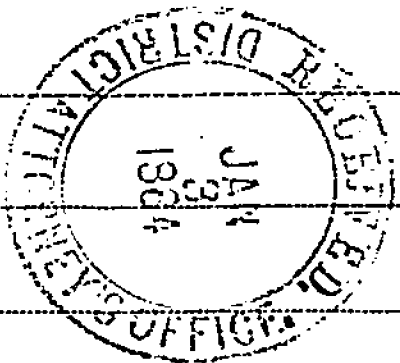
100

to answer

G. S.
Failed

1004

Office Violation
Here Sent



0333

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 Berghauer

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

John Berghauer

OF THE CRIME OF **Exposing for Sale and Selling Strong and Spirituous Liquors, Wines, Ale and Beer, on Sunday**, committed as follows:

The said *John Berghauer*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *thirtieth* day of *December* in the year of our Lord one thousand eight hundred and eighty-*three*, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did expose for sale and sell as a beverage to

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

SECOND COUNT:

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

John Berghauer

of the CRIME OF GIVING AWAY AND DISPOSING OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, ON SUNDAY, committed as follows:

The said *John Berghauer*

late of the First Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: On the said *thirtieth* day of *December* in the year of our Lord one thousand eight hundred and eighty-*three*, at the Ward, City and County

0334

aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did give away and dispose of as a beverage to

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

THIRD COUNT:

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

John Bergthansen —

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

The said *John Bergthansen* —

late of the First Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the said *thirtieth* day of *December* in the year of our Lord one thousand eight hundred and eighty-*three* the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of certain premises at number *One*

hundred and eighty
three Prince Street —

in the City and County aforesaid, which said place was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

PETER B. OLNEY,
~~JOHN MAKEON~~, District Attorney.

0335

BOX:

124

FOLDER:

1306

DESCRIPTION:

Best, Thomas

DATE:

01/18/84



1306

0336

BOX:

124

FOLDER:

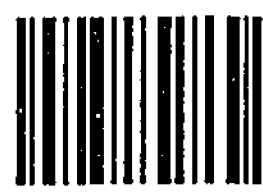
1306

DESCRIPTION:

McCabe, Alexander

DATE:

01/18/84



1306

before.

Mr. J. Fred. Coverts

BRIGTARY—Third Degree,
NOTHING STOLEN.

(8612)

0338

Police Court—3rd District.

City and County } ss.:
of New York,

of No. 55 Columbia Jacob Burkhard Street, aged 26 years,
occupation Livery stable keeper being duly sworn

deposes and says, that the premises No 55 Columbia Street,
in the City and County aforesaid, the said being a Brick building
The first floor second & third floor of
which was occupied by deponent as a Livery Stable & Storage House
and in which there was at the time no human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking
a Window, on the rear of the second floor,

on the 13 day of January 1884 in the Night time, and the
~~following property feloniously taken, stolen, and carried away, viz:~~

With the intent to commit a Crime and
to steal fifteen Horse Plankets of the
Value of seventy five dollars

the property of deponent and Joseph Weber his Co-partner
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by
Thomas Best & Alexander Mc Cabe
both (now here)

for the reasons following, to wit: Deponent is informed by
Susan Mc Donald of No 57 Sheriff
Street that at the hour of about
1 1/2 O'clock in the morning of said
13th day of January 1884 she saw said
two defendants enter the Window
aforesaid that her husband
informed the Police and that she watched
the Window and saw said defendants
again come through the Window and from said
premises

Subscribed and sworn to before me this 13th day of January 1884
John J. [illegible]

0339

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 32 years, occupation Housekeeper of No. Susan McDonald

50 Herriff Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Jacob Burkhard
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 1st day of January 1884 Susan McDonald

John H. Homan
Police Justice.

0340

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

g rd
District Police Court.

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

Question. What is your name?

Answer. *Thomas Best*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *10 Street between Avenue C & D 1 1/2 months*

Question. What is your business or profession?

Answer. *Work in a Bailor shop*

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*

Thomas Best.

Taken before me this *12*
day of *December* 188*8*
John J. Conner
Police Justice.

0341

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

3 District Police Court.

Alexander McCabe 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. Alexander McCabe

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. 163 Lewis Street 4 years

Question. What is your business or profession?

Answer. Printer

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

Alexander McCabe

Taken before me this 14
day of January
1888
John J. Brennan
Police Justice.

0342

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 Beor &

Alexander Mc Cabe
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 14 1884 John J. Hanna 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.

0343

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court-- 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jacob Burkhart
55 Columbia St.

Thomas Best
McCauley & Pierce

JAN 17 1884

Dated January 14 1884

Corrigan Magistrate.

McCauley & Pierce Officer.

13 Precinct.

Witnesses Susan McDonald

No. 50 Sheriff Street.

Patrick McDonald

No. 50 Sheriff Street,

Amia Officer

No. 50 Sheriff Street.

\$ 1000 to answer Genl Sessions.

Caum

The People
vs.
Thomas Best
and
Alexander McCabe

Court of General Sessions. Part I.
Before Recorder Smyth. Feb. 4. 1885.
Indictment for burglary in the 3^d degree.
Jacob Burkhard, sworn and examined,
testified. I keep the livery stable of Joseph
Weber at 55 Columbia St. I live at 7 Sheriff
St. I shut up the stable on the 13th of January
about 8 o'clock in the evening and went home.
An officer came to my house and woke
me up and told me to come down, they
had arrested some burglars that broke into
my place. I should judge it was a little after
one o'clock Sunday morning. I went to my place
and found the defendants. I found that the
doors were locked, but the window was
broken open; that window was over a shed
leading from Sheriff Street to the rear of my
place in Columbia St. There was no prop-
erty taken. The prisoners were in custody of the
officers. Then I left the window was secured
with nails; when I examined it the sash
was broken and the panes of glass, two
or three of them, were broken. We had in
the place forty or fifty horses, and we had
blankets and harness, amounting in value
to several thousand dollars.
Susan McDonald sworn. I live at 50
Sheriff St, that is right in front of ch.

0345

Burkhardt's stable. About one o'clock in the morning I saw a crowd of seven or eight as I thought go over the shed to the window. it was moon light; they walked over the shed I did not see them break the window but I saw them stand at the window. It was quite a way off. I could not hear if they broke the window or not, but they were in quite a while before they came out. I saw them come out of the window. My husband went and told another man on the floor; they both went and told the officer. I could not say how many came out, but two came right over the shed. I could not recognize the faces at all. Cross Examined. There was quite a bunch of them. I thought there was about four or five anyhow. I watched the men who came out of the window until they were arrested. I am positive the two that came out of the window were arrested. The stable goes through into Columbia St. It was half past one at night; it was not dark, it was moonlight. Laura Hannigan sworn. Mrs. McDonald called me and my husband and I went out. He went out to look for an officer while I watched. I saw those two young men come out of the window across the shed from Burkhardt's stable. I only saw two. I ran and told the

0346

officer; then I came right back and they were not off the shed yet. I am positive the officer arrested the two I saw. I was going through the hall; the officer took them at the front door. Edward Pierce sworn. I arrested the defendants on the night of the 13th of January. I got into the station house near two o'clock. A message came from 35 Columbia St. that there were burglars in that place, and my partner McCanley and myself went there. We stood in the rear of the stable and Mrs. Harrigan told us two came out of the window on the shed and about half a minute afterwards the two prisoners came walking out of the hallway. We kept the door closed and they opened it. John McCanley sworn. testified substantially the same as the other officer. I examined the window that night and found it was broken. I found a pane of glass broke there and the window was slightly raised when I saw it. Cross Examined. Did you tell these boys what they were arrested for? Yes. We asked them what they were doing in the stable; they denied being in there. Patrick Mc Donald sworn. I live 50 Sherrip St. I saw two men go in the window. I could not tell whether they were men or boys because it was a distance from here to the

0347

other end of the courthouse. I went for an officer. This was about half past one. I did not see them come out. I could not say whether they broke it or not. My wife and I were looking at them going into the window. Alexander McCabe, sworn and examined for the defence. I was arrested that night by the officer near 50 Sheriff St. I was coming home from the National Theatre. I met a friend; we stood talking at the corner of Grand and Sheriff St. for half an hour. His boy, after the other party left me, came up and asked me if I was going home his way? I live in Lewis St. between Third and Fourth St. and he lives in South St. I say, "yes," that I was going up that way. As I came down through Sheriff St. I know this place where I was arrested. I went in to go to the water closet. I asked the boy would he hold my coat and vest? He says, "yes." I went in, and when I came out I could not see him nor my coat and vest and I waited there fully fifteen minutes before I had my coat and vest. When he came back he said he chucked the coat on the banisters in the hallway. As I was going out with him the policeman came in and took the two of us to the station house. I was not in that stable. Cross Examined. I was

0348

convicted once before for assault and battery and I was also convicted under the name of Andrew J. Cummings about a year or two ago for receiving stolen goods - horse blankets.

The jury rendered a verdict of guilty of burglary in the third degree.

0349

Testimony in the
Case of
J. Best and H. McCabe

Filed Jan. 1884

I hereby certify that the foregoing is a true and correct copy of the testimony given by the parties in the case of J. Best and H. McCabe, as filed in the office of the Clerk of the Court, at the City of New York, on the 1st day of January, 1884.

0350

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 Best
and
Alexander McCaule

The Grand Jury of the City and County of New York by this indictment accuse
Thomas Best and Alexander
McCaule
of the crime of BURGLARY IN THE THIRD DEGREE, committed as follows:

The said Thomas Best and
Alexander McCaule

late of the Thirteenth Ward of the City of New York, in the County of
New York aforesaid, on the Thirteenth day of January in the year of our
Lord one thousand eight hundred and eighty-four with force and arms, at the Ward, City and
County aforesaid, the store of Jacob Burkhardt

there situate, feloniously and burglariously did break into and enter, the said store
being then and there a building in which divers goods, merchandise, and valuable things
were then and there kept for use, sale and deposit; the same being the goods, chattels,
and personal property of the said Jacob Burkhardt

with intent the said
goods, merchandise and valuable things in the said store then and there
being then and there feloniously and burglariously to steal, take, and carry away

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

PETER B. OLNEY,
~~JOHN MCKEON~~, District Attorney.

0351

BOX:

124

FOLDER:

1306

DESCRIPTION:

Birmingham, James

DATE:

01/28/84



1306

0352

314

Day of Trial,

Counsel,

Filed 28 day of Jan

1884

Pleads

THE PEOPLE

vs.

P

James P. Conino

W. L. 1998. Lho

At One O'clock

PETER B. OLNEY,

~~JOHN MCKEON~~

P. 2 Dec 11/14 District Attorney.

W. L. 1998. Lho
A True Bill.

W. L. 1998. Lho
less than out Foreman.

BURGLARY—Third Degree, and
Receiving Stolen Goods.

(55498-506-528-532)

20. 11. 1998
W. L. 1998. Lho

0353

Police Court—14 District.City and County } ss.:
of New York, }of No. 580 Third Avenue Keeffe O'Keeffe Street, aged 43 years,occupation dealer in dry and fancy goods being duly sworn
deposes and says, that the premises No 580 Third Avenue, 21st Ward Street,
in the City and County aforesaid, the said being a brick buildingand which was occupied by deponent as a dwelling and place for sale of goods
and in which there was at the time a human being, by name Mary O'Keeffe, Hannah O'Keeffe, Kate Daly, and deponent
were **BURGLARIOUSLY** entered by means of forcibly
and feloniously breaking a large pane of
glass in the show window of said premises
and leading from the street into said premiseson the 24th day of January 1884 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:Silk Handkerchiefs, Burlington Gephyr woolen
gam, and other property
all of the value about eight dollarsthe property of Deponentand deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away byJames Birmingham (now present)for the reasons following, to wit: that previous to said Burglary
and larceny the said pane of glass was whole
and in good order, and the property aforesaid
was in said window, and this deponent heard
the breaking of said glass in said window
and went down stairs to find out the cause
of said breaking, and while awaiting to see who
had done it the said Birmingham returned,
to said window and deponent caught him with

0354

with his body halfway inserted through the
said broken glass with the said property
in his arms

Subscribed before me this
25th day of January, 1884

Off: J. H. Hoff

M. J. Dwyer

Police Justice

Police Court	District.
THE PEOPLE, & c.,	
ON THE COMPLAINT OF	
vs.	
Burglary	Degree.
Dated	188
Magistrate.	
Officer.	
Clerk.	
Witnesses:	
Committed in default of \$	Bail.
Bailed by	
No.	Street.

0355

Sec. 198-200

4 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

James Birmingham

Question. How old are you?

Answer.

50 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

I have no home

Question. What is your business or profession?

Answer.

Stone cutter

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 drunk and fell through the windows

James Birmingham

Taken before me this

25

day of *January* 188*4*

City of New York

Police Justice.

0356

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 James Cunningham

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.~~ or legally discharged therefrom

Dated January 25 1884 Wm. J. Cowley 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.

0357

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

1053
Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Keefe O'Keefe
vs. *3rd Str.*

James Birmingham

Dated *January 25* 188 *4*

W. J. Power Magistrate.

Edward Flood Officer.

21 Precinct.

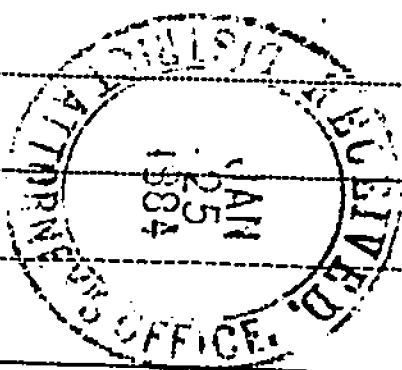
Witnesses *Edward Flood*

No. *21st Precinct* Street.

No. _____ Street.

No. _____ Street.

Committed to answer *L. S.*



0358

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Birmingham

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

James Birmingham

of the CRIME OF BURGLARY IN THE THIRD DEGREE,

committed as follows:

The said

James Birmingham

late of the *24th* Ward of the City of New York, in the County of New York, aforesaid, on the *24th* day of *January* in the year of our Lord one thousand eight hundred and eighty *four* with force and arms, at the Ward, City and County aforesaid, the *store* of

Hubert O'Keefe

there situate, feloniously and burglariously, did break into and enter, the same being a building in which divers goods, merchandise, and valuable things were then and there kept for use, sale and deposit, to wit: the goods, chattels, and personal property hereinafter described, with intent the said goods, chattels, and personal property of the said

Hubert O'Keefe

then and there being, then and there feloniously and burglariously to steal, take and carry away, and *six hand:*

knives of the value of one dollar each, and fifty skeins of yarn of the value of ten cents each skein

of the goods, chattels and personal property of the said

Hubert O'Keefe

so kept as aforesaid in the said *store* 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.

Peter B. Olney

District Attorney

0359

BOX:

124

FOLDER:

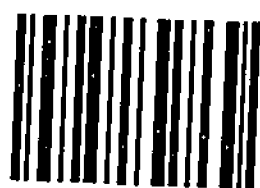
1306

DESCRIPTION:

Boddy, Thomas

DATE:

01/31/84



1306

Q of Price

64 Recd

Thank you very,

back up the scenery

Michigan for a

Wesley Andrew Graves

July 11/84

58

[illegible]

redburn

about 6 years

Edy-Prim

362- H.C. Beach
Counsel.

Filed 31 day of May 1884

Pleads *Not Guilty* *May 4/08*

THE PEOPLE

७५.

A

Love

100

PETER B. OLNEY,

JOHN WILKINSON

Feb 15/84 District Attorney

ried & a/cg settled

True Bill

F. g. enigmatica

David Kornacker

1

0361

Court of Special Sessions
City of New York

Before Justices
Kilbuck, Smith
and Ford

The People

January 29th 1884

- vs -
Thomas J. Boddy

Charles H. Waite the
complaining witness being duly sworn testified
as follows:—

(By the Court)

Q You reside at No 11.5th Ave?

A Yes sir

Q On or about the 5th of January, did you see
the defendant?

A Yes sir, I did

Q Where?

A In the City Hall in the Clerk's
office

Q Did you have any conversation with
him?

A Yes sir

Q And as the result of that conversation, did
you part with any property?

A Yes sir, five dollars

0362

2 -

Q You gave him five dollars?
a yes sir

Q Did he exhibit to you at that time any list?

a He did, and I took it to the clerk's desk and signed it

Q Do you identify this document, here, shown you as the list he presented?
a yes sir

Q What did you do to that list, if anything?

a I got a pencil from the clerk, Captain Tammey, signed the list and gave him five dollars

Q Do you recognize your signature on that list?

a I do, sir

(The list referred to was now put in evidence by the prosecution



0363

Lloyd Aspinwall sworn for the prosecution

(By the Court-)

Q Where do you reside?

A - 25 East 10th St.

Q Will you look at this list and state if you ever saw it before?

A - I did Sir

Q Where and when?

A - At my office on the 9th of January 1889

Q Did you do anything to the list yourself?

A - I signed my name to it

Q And from whom did you receive the list at the time you signed your name?

A - I received it from the man from

Q The man who pleaded "Guilty" here in Court a moment ago?

A - Yes Sir

0364

4 -

Albert B. Green was not called by the prosecution
and I know —

By the Court —

2 Where do you reside?
a - 998 30th Ave

2 Is that the list that you presented to Judge
Aspinwall?
a - Yes Sir

2 You received five dollars fraudulently?
a - Yes Sir

2 It purports to be a list of subscrip-
tions for the Irish Benevolent Associ-
ation?

a - Yes Sir

2 Is there such an organization?
a - No Sir

2 Where did you get the list?

a - I originated it myself. I got it up
myself

2 Will you state what you know in regard
to the other signatures on that list?

a - I went to only four of them, Sir,
myself personally. Outside of that

a gentleman by the name of William
Blaney called on all of the others.

2 You were not present then, were you?

0365

✓-

Q I was in the Council Room, when he called upon Alderman Waite, Alderman Waite crossed to the desk on the left hand side, and signed his name, and gave it to Mr Delany. Mr Delany is a man with brown hair, a reddish moustache and he wore a blue overcoat.

Q Do you know this defendant Booz?

A Yes sir, I worked together with him for about ten years.

Q You were instrumental in setting up this list?

A Yes sir.

Q And you say it is a fraud?

A Yes sir.

0366

6.

Officer James H. Price was now called & sworn

(By the Court)

Q You are an officer attached to the 24th Precinct?

A Yes sir

Q Did you arrest the prisoner, Brady?

A Yes sir, both at the same time

Q Where and when?

A I saw them in 33rd Street near Fifth Ave, about 7 o'clock on the night of the arrest. I saw him going to Judge Lawrence's house, No 3 west 33rd Street, and ring the bell, and the servant opened the door. They stood in conversation for a minute or more, left there and came up Fifth Ave and crossed to the East side, and entered at 34th Street & 5th Ave. They passed up by Lorillard's house, then they went over to 35th Street and 5th Ave. Then I concluded to arrest them. I found the list in Greene's possession. He claimed that he was around with that Art Collecting Society.

0367

7.

Q What did Brody say?

A He was with him, and was at Judge Laurence's house with him.

Q Did you see them together in conversation?

A Yes sir.

The Court held that the evidence discloses a felony & sent the papers to the Court of General Sessions



0368

2

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }
OF NEW YORK } ss

of No.

11 Fifth Avenue Street
or about 5th

Charles B Waite

being duly sworn, deposes and says, that on the

day of

January 1884

at the

City of New York,

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

of deponent, with the intent to deprive the true owner thereof
the following property, viz:

Then, sum Five Dollars lawful money
of the United States Consisting of one
Bank bill of the denomination of Five
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

Thomas Body (now here)

who presented to deponent a printed paper
purporting to be a subscription list of the
Irish American Benevolent Association
said list containing the signatures and names
of well known persons to deponent with the
amount set opposite their names
names that deponent believing that the
representations made by said deponent
were true, and relying upon the same to wit

0369

that the said Body was authorized
to collect and subscriptions for said
Alleged Irish Benevolent Association.
And to said Body said amount
above set forth. Deponent charges
that said representations so made by
said Body were false and fraudulent
and charges that said Body obtained
from Deponent said sum of five
dollars with intent to cheat and deprive
Deponent and did so ^{feloniously} cheat and deprive
this Deponent of said sum of five dollars
as aforesaid

Sworn to before me } C. B. Stanto
this 26 day of January 1884 } Supdt. of Prisons
Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

AFFIDAVIT—Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0370

Sec. 198-200

2 District Police Court.

CITY AND COUNTY OF NEW YORK ss.

Thomas Brady 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Thomas Brady

Taken before me this

day of

Police Justice.

0371

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

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

Dated May 26 4 188 Andrew J. White Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0372

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court

District.

Not Guilty
THE PEOPLE vs. _____

ON THE COMPLAINT OF

Charles B. Mate

11th. 5th. Ar.
Horus Duddy

1
2
3
4

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

No.

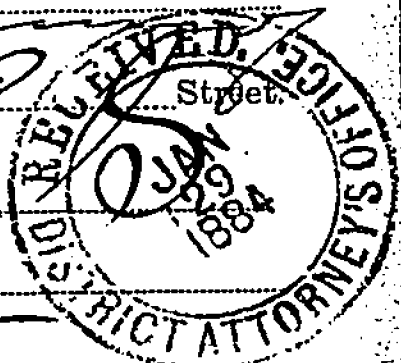
No.

\$

to answer

Street.

1884



Folio 1

In the Court of General Sessions of the
Peace in ^{the} for the City and County of New York.

The People vs.
against
Thomas Doddy.

City and County of New York ss:

Harry H. Beach, being duly
sworn, deposes and says:

1. I saw the attorney for the above nam-
ed defendant, and was his attorney on
the trial of the above named on Feb-
ruary 7th 1884, upon a charge of obtaining
money upon false pretenses for a char-
itable object.

Fol. 2 2. That on said trial the complainant
testified that the representations were
made on January 5th 1884 and the money
paid on said day. That the defendant
proved where he was on said day &
that he did not call on the complain-
ant on that, or any other day; that he
never saw him until he saw him in
Jefferson Market Police Court. It was
then sought, on behalf of the people, to
show that the transaction took
place on January 4th 1884. The de-

0374

Ex. 3

defendant was unable to tell where he was or what he did on said January 4th 1884, and deponent was unable to offer any testimony on that point. Since the trial & conviction of said defendant, ^{and on February 8th 1884} one Joseph N. Walker called at my office N^o 319 Broadway, this city, and informed me that he knew where said defendant Boddy was from 9 until 1 o'clock on January 4th 1884, which statement is embodied in an affidavit hereto annexed. That I was totally ignorant of the existence of any such testimony until I received it as aforesaid, and that if I had known of its existence, ^{and that it would have been required} I should have subpoenaed said Walker on said trial.

Ex. 4

3.

I am informed by Joseph N. Walker, a friend of said Boddy, that said Boddy, when a small boy, met with an accident to his head which was seriously injured, that plates were placed in his head, & that his memory has been affected, all of which information said Walker informed me he had obtained from an aunt of said Boddy on February 8th 1884. I do not know the name of said aunt, but sent word

0375

on February 9th 1884 to her by said Walk-
er and requested her to be at my of-
fice this morning, so that I could
prepare her affidavit in regard to
said Boddy's injury to his head, but
she had not come at 10.30 today.

14. I truly believe that if the above evi-
dence had been produced on the said
trial on February 7th 1884 it would prob-
ably have changed the verdict,
that it has been discovered since the
trial & is not cumulative, and that
the failure to produce it on the trial
was not owing to want of diligence.

Subscribed before me this
11th day of February 1884

Wm. H. Sage

Notary Public

King & Co. Est. Filson N.Y.C.

Harry C. Deach

Folio 1

In the Court of General Sessions of the Peace
in & for the City & County of New York.

The People &c,
against
Thomas Roddy.

City & County of New York Co.

Joseph H. Walker, being duly
sworn, deposes and says;

1. I am a painter by trade, and as
such have been in the employ of Wil-
liam Lennox, whose shop is at No
1005 Third Avenue, in this City, since
January 7th 1884.
2. I have known the above named de-
fendant Thomas Roddy slightly for
the past four or five years, and have
been intimately acquainted with him
during the past year, having very
frequently visited him at his room
during that time.
3. I remember the 4th day of January
last from the fact that it and the
two following days were very cold, and
also by reason of the fact that on that
day I went ^{with} to my brother's appointment
from there with him to get some money.

0377

Pol. 3 I also remember the ^{said} day (January 4th) was Friday, on account of there being a large fire on the following night in 25th Street between 1st and 2nd Avenues.

4. On said January 4th 1884 I went to the room of said Thomas Roddy at No 1005 Third Avenue, in this city, at about nine o'clock in the morning, found said Roddy there, learned from him that there was no work for him that day and remained in his company in said room from said nine o'clock in the morning until between the hours of one and half past one on said January 4th 1884. That during the time between my reaching said room

Pol. 4 and leaving the same ^{as aforesaid}, I am positive that said Roddy did not leave my presence, and that we both remained in said room. When I left said Roddy's room, he, Roddy, remained therein. I then went to Sixth Avenue and 36th Street to meet my brother by appointment, and walked up to 37th Street and met my brother on said 37th Street between 3rd and 4th Avenues. We, my brother and myself ^{had been} met after my brother to Radcliff's oyster house to get some money

0378

Prot. 5 which was due him. Radcliffe's place
of business is at No 618 Ninth Avenue be-
tween 36th and 37th streets. After we met
as aforesaid, we went to 34th street
and 2nd Avenue, where I left him &
afterward I returned to said Roddy's
room about five o'clock of the same
day & found said Roddy therein.

5 I am willing to testify to the fore-
going facts at any time should I
be called upon to do so.

Sworn to before me this
9th day of February 1884

J. J. Connelley
Notary Public (3)
N.Y.C.

Joseph L. Walker

Folio 1

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

The People vs.
against
Thomas Duddy.

City and County of New York Co.

Eugene J. Walker, being duly
sworn, deposes and says;

1. I am the brother of Joseph H. Walker
and reside at No 344 East 34th Street
in this City. My business is that of
a waiter in a restaurant.

Folio 2 2. Prior to January 1st I was in the
employ of H. N. Radcliff who keeps
a restaurant and oyster saloon at
No 618 Sixth Avenue, between 36th and
37th Street in this City. When I left
said Radcliff's employ he was in-
debted to me in the sum of Five Dol-
lars.

3. On the morning of January 4th 1884,
my brother, Joseph H. Walker, who was
then living with me, left the house at
about half past seven o'clock in the
morning. Before going we agreed to
meet on Sixth Avenue near said

0380

Prot. 3 Radcliff's place of business at about two o'clock I met my brother on said January 4th 1884 on 37th Street between 5th & 6th Avenues, after I had been to said Radcliff's place. He ^{Radcliff} was sick & I went up to his room, saw him and received the money due me, namely Five Dollars.

4 I recollect distinctly that it was the 4th of January, because I went the day before to get the money and the cashier told me I would have to call the next day - also because it was a bitterly cold day. I remember the circumstances of getting my money clearly, because when I first saw Radcliff he sent me to the cashier for my time. The cashier sent up a memorandum, which was one day short, and I was obliged to go to him again & have it corrected.

5. After getting my money my brother and I went to 34th Street and 2^d Avenue, where we separated.

6 I am willing to swear to the above facts at any time should I be called upon so to do.

Sworn to before me this
9th day of February 1884

J. H. Conner
Notary Public
N.Y.

Eugene J. Walker.

Folio 1

In the Court of General Sessions of the Peace
in and for the City & County of New York.

The People vs.
- against -
Thomas Duddy.

City & County of New York Co.
Jas H. Kenge being duly
sworn, deposes & says;

1. I am cashier for A. N. Radcliff Rad-
cliff, whose place of business is No.
618 Sixth Avenue, N.Y. City, and I
have been such for the past 3
years.

Folio 2

2. I know that one Eugene J. Walker
was, for a short time, in the employ
of said Radcliff, and that he left
his employ on the 1st day of January
1884.

3. My duties as cashier require that I
should keep books of account of the
expenses in the business, and I do
keep such books.

4. My books of account show, that, on
the 4th day of January 1884, said Eu-
gene J. Walker was paid the sum of
Five Dollars, that being the amount

0382

due him at the time he left the
employ of said Radcliff

Sorow told me this

9th day of February 1884

Wm. M. Sage

Notary Public

King Co. Cal filed in N.Y. Co

Thos. W. Fenger

Folio 1

In the Court of General Sessions of the
Peace in & for the City & County of New York.

The People &c. }

against
Thomas Boddy. }

City & County of New York &c.

Thomas Boddy, being duly sworn,
deposes and says;

1. That when he was a small boy, the age he cannot remember, he fell and sustained severe injuries to his head, on account of which he has often times been seriously affected with pains in the head and his memory has been very treacherous.
2. That when interrogated on his trial on February 7th 1884 as to his whereabouts on January 4th 1884 he could not at the time recollect, but since that time he has thought over the matter, ~~and~~ conversed with one Joseph H. Walker ^{and} has read an affidavit made by said Walker in regard to the whereabouts of himself on said January 4th 1884, and after thinking over the matter ^{and} refreshing his memory

Fol. 3. by conversing with, and reading the af-
 fairs of said Walker, he now
 recalls the fact of said Walker's
 coming to his room about nine o'clock
 on the morning of January 4th 1882nd and
 remaining therein until after one
 o'clock of the same day. That dur-
 ing the aforesaid hours said Walker
 and he remained in his room at
 10905 Third Avenue, and did not
 leave the same. That said Walker
 returned to his ^(Boddy's) room later in the
 day but the time he does not re-
 collect.

3. That he never informed his counsel in
 regard to the injuries sustained to his
 head when a small boy, that his
 memory was bad or that on said
 January 4th 1882 said Walker called
 at his ^(Boddy's) room and remained
 as aforesaid, and that he never recall-
 ed the circumstances in regard to
 said January 4th 1882 until spoken
 to by said Walker on February 8th 1882
 in the Tomb, and that, now that he has
 been referred to the above facts, he re-
 collects them well.

Given before me this) Thomas. Boddy
 11 day of February 1884.
 R. H. Raker
 Mayor of the City of New York) M. C.

0385

N.Y. Co. Sessions Court

The People vs
Thomas Roddy

Plaintiff
against

Defendant
Affidavit in support
for new trial

HARRY C. BEACH,
Attorney for defendant
319 BROADWAY,
Room No 11 NEW YORK.

To
Esq.
Attorney for

Due and timely service of a copy of the within
is hereby admitted.

Dated 188

Attorney for

C. B. Merwin, Printer, 218 Fulton St., N. Y.

0386

Court of Special Sessions,
City and County of New-York.

-----x :
The People : Before
- vs. - : Justices Kilbreth, Smith and
Thomas Boddy. : Ford.
-----x :

Charles H. Waite, the complaining witness, being duly sworn, testified as follows:

(By the Court)

- Q. You reside at No. 11 5' Avenue?
A. Yes, sir.
Q. On or about the 5' of January did you see the defendant?
A. Yes, sir, I did.
Q. Where?
A. In the City Hall, in the Clerk's office.
Q. Did you have any conversation with him?
A. Yes, sir.
Q. And as the result of that conversation did you part with any property?
A. Yes, sir, five dollars.
Q. You gave him five dollars?
A. Yes, sir.
Q. Did he exhibit to you at that time any list?
A. He did, and I took it to the Clerk's desk and signed it.
Q. Do you identify this document here shown you as the list he presented?
A. Yes, sir.
Q. What did you do to that list, if anything?
A. I got a pencil from the Clerk, Captain Toumey, signed the list and gave him five dollars.
Q. Do you recognize your signature on that list?
A. I do, sir.

(The list referred to was not put in evidence by the prosecution).

0387

Court of
Special Sessions

The People

vs.
Thomas Boddy.

Copy

Testimony of

Charles H. Wente.

0388

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 Baddy

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

Thomas Baddy
of the CRIME OF Obtaining money for a pretended char-
itable and benevolent purpose by aid of false pretenses,
committed as follows:

The said Thomas Baddy

late of the City and County of New York, on the 27th day of
January in the year of our Lord one thousand eight hundred and eighty-four
with force and arms, at the City and County aforesaid, feloniously did

then and there maliciously and falsely
pretend to one Charles B. White,

That there was then in existence a
certain charitable and benevolent asso-
ciation known as the Irish-American
Benevolent Association and that the aims
and purposes of such association were
purely benevolent, its principal object
being to aid the sick, bury the dead, and
procure employment for unemployed members,

That the said ~~Thomas Baddy~~ ^{Thomas Baddy} had
been and was then duly authorized and
empowered by the said Benevolent Asso-
ciation, to solicit and receive money in
aid of the benevolent and charitable
objects and purposes aforesaid, for and
on behalf of the said benevolent association.

And the said Charles B. White then
and there retaining the false pretenses so

made as aforesaid by the said Thomas Boddy, and being secured thereby, was induced by reason thereof to deliver and did then and there deliver to the said Thomas Boddy, for the pretended charitable and benevolent purposes aforesaid a sum of money to wit: the sum of five dollars in money, lawful money of the United States of America and of the value of five dollars, of the proper moneys, goods, chattels and personal property of the said Charles B. Waite.

And the said Thomas Boddy did then and there wilfully and feloniously receive and obtain the sum of money aforesaid, from the said Charles B. Waite for the said pretended charitable and benevolent purpose, by aid of the false pretences aforesaid.

Whereas in truth and in fact there was not then in existence any charitable and benevolent association known as the Irish-American Benevolent Association.

And whereas in truth and in fact the said Thomas Boddy was not then and there and had not been duly authorized and empowered by said pretended benevolent association to solicit and receive moneys in aid of the charitable and benevolent objects and purposes of such pretended association, so and on its behalf.

And whereas in truth and in

0390

That the said returns, so made as
aforesaid by the said Thomas Boddy
to the said Charles B. Wake were
then and there in all respects
utterly false and untrue, as the
said Thomas Boddy then and there
well knew.

And so the Grand Jury aforesaid
do say: that the said Thomas
Boddy, by aid of the false returns
aforesaid, on the day and in the
year aforesaid, at the City and County
aforesaid, feloniously did obtain the
sum of money aforesaid, for the said
pretended charitable and benevolent
purposes: against the form of the
Statute in such case made and pro-
vided, and against the peace of the
People of the State of New York
and their dignity.

Peter B. O'Neary

District Attorney.