

0709

BOX:

366

FOLDER:

3437

DESCRIPTION:

Patterson, Thomas

DATE:

09/09/89



3437

Bail \$1000.
G.P.P.

Witnesses:

William Whistler

John DeGogay

Walter G. Eare

Walter H. S. Carver

The Coroner's
jury fully exonerated
defendant from
all blame -

after an examination
of the case, I
ask that the
indictment be
dismissed. The
Grand Jury never
should have indicted
defendant. There is no case
for the people. G.P.P. add.

Counsel,

Filed

Pleas,

1889

THE PEOPLE

vs.

Thomas Patterson

22 Sept 18. 1889.
Indictment dismissed
+ def. acquitted

JOHN R. FELLOWS.

District Attorney.

A TRUE BILL.

Chas. B. DeLoach

Foreman.

0710

0711

STATE OF NEW YORK

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION

Taken at the Coroners' Office

No. 67 Park Row Street, in the 4th Ward of the City of New York, in the County of New York, this 30th day of August in the year of our Lord one thousand eight hundred and 89 before

FERDINAND LEVY, Coroner,

of the City and County aforesaid, on view of the body of David Bartley now lying dead at

Upon the Oaths and Affirmations of Eleven good and lawful men of the State of New York, duly chosen and sworn or affirmed and charged to inquire, on behalf of said people, how and in what manner the said David Bartley came to his death, do upon their Oaths and affirmations, say: That the said David Bartley came to his death by

Injuries received by being accidentally run over by Car No. 334 of the Broadway and Seventh Ave. R.R. Co. on Broadway near Bond Street on Aug. 12/89. we exonerate the driver Thomas Patterson from all blame,

In Witness Whereof, We, the said Jurors as well as the CORONER, have to this Inquisition set our hands and seals, on the day and place aforesaid.

JURORS.

871-9am	McMurry 2nd St. Sullivan St
Joe E. Ruddy	8 Christopher St 890-9am
Wm. Ahlborn 1020 - 3rd St	Matthew Kelly 941-9th
John Greenberg 52 Canal	George W. Van 887-9am
H. H. Runge 859-9th	
Henry C. Sasse 840-9 Ave	
Peter Kemp 838 9 Ave	

Louis Lewis 361 W 5th St
Ferdinand Levy
CORONER, T. S.

0712

MEMORANDUM.



Coroner's Office,

67 Park Row,

New York, _____ 188__

Verdict of Coroners' Jury

David ^{2d} Re Bartley

Rendered Aug. 30/89.

"The said David Bartley came to his death by injuries received by being accidentally run over by car No. 334 of the BWay and Seventh Ave R.R. Co. on BWay near Bond St on Aug. 12/89 We exonerate the driver Thomas Patterson from all blame"

I hereby certify that the above is a true Copy of Verdict.

Ferdinand K. Goetz
Coroner

0713

St. Vincent's Hospital
New York, Aug 13th 89

Judge A. E. Ford:
Sir: This is to
certify that David Bartley
died this noon from a
compound complicated
fracture of left leg.
E. M. McCabe,
House Surgeon.

0714

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 2nd DISTRICT.

William Whipple
 of the 15th Precinct Police Street, aged 27 years,
 occupation Police Officer being duly sworn deposes and says
 that on the 12th day of August 1889
 at the City of New York, in the County of New York Defendant arrested

Thomas Patterson (now here) for assaulting
 one David Bartley of 790 Greenwich Street
 while he defendant was in charge and driving
 a team of horses attached to car no 347 of the
 Broadway Rail Road at a rapid rate of speed
 said Bartley was in the act of crossing Broadway
 at the corner of West 3rd Street one of the horses
 attached to said car struck said Bartley on
 the body with said horses shoulder knocking
 said Bartley down and one of the forward wheels
 of said car run over and across said

Subscribed before me this

1889

day

Police Justice

0715

Bartley left leg cutting the leg ^{below the knee} entirely off and
inflicting injuries from which ^{and Bartley} is now confined to the New York Hospital and
is unable to appear in Court
wherefore deponent prays that said defendant
may be held to await the result of said
injuries

Sworn to before me this 13th day of August 1889

Wm Whispell

Police Justice

Disposition, leave to
omit account
of injury

Police Court-- District.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

William Whispell

vs.
Thomas Patterson

Dated August 13 1889

Magistrate.

Whispell

Witness

W. B. Earl

648 Broadway

Disposition, leave to
omit account
of injury

0716

Police Court, 2 District.

City and County of New York, ss.

of No. The 15th Precinct Police Station, aged 27 years,
occupation Police Officer being duly sworn, deposes and says,
that on the 12th day of August 1889 at the City of New
York, in the County of New York, Thomas Patterson (now here)

who did feloniously assault one David Barclay while he defendant was in charge and driving a team of horses attached to his car no 348 of the Broadway surface rail way said team of horses and car were driven at a very rapid rate of speed along Broadway causing the death of said Barclay in violation of Section 179 of the Penal Code of the State of New York for the reasons following to wit: the deceased Barclay was in the act of crossing Broadway on the crosswalk at the corner of West 3rd Street when the off side horse attached to said car so driven by defendant struck the deceased on the body with the right shoulder of said horse knocking the deceased down and one of the forward wheels of said car passed over and across the deceased deceased left leg below the knee cutting off and severing said leg causing the death of said deceased Barclay as set forth in the Annexed Certificate of Joseph Surgeon E. M. McKeever of St. Vincent's Hospital hereto Annexed

Walter L. Earle of 206 1/2 Broadway being duly sworn deposes and says at about the hour of six o'clock thirty minutes P.M. on said date the defendant was in charge and driving a team of horses along Broadway at a very rapid rate of speed the deceased was walking across Broadway and the horses struck the deceased knocking him down and one of the forward wheels of said car driven by the defendant passed over and across the left leg of the deceased cutting off the left leg below the knee

Sworn to before me this 15th day of August 1889
Walter L. Earle
Police Justice

Sworn to before me this 15th day of August 1889
J. J. Murphy
Police Justice

0717

Sec. 108—200.

CITY AND COUNTY }
OF NEW YORK, } ss.

2 District Police Court.

Thomas Patterson 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 Patterson*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Philadelphia*

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

Answer. *425 West 45th St 6 months*

Question. What is your business or profession?

Answer. *Lead Driver*

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 Patterson*

Taken before me this

day of

August
188*9*

J. B. McFarland
Police Justice.

0718

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.....

Dejundant
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. he fully discharged

Dated Aug 15 188 J. M. M. M. M. 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.

0719

Police Court--- 21203 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Whipple
vs.
Thomas Patterson

Offence *Murder*

2
3
4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *Aug 15* 188*9*

Whipple

15 Officer.

Precinct.

Witnesses *Walter Earl*

No. *64 Broadway* Street.

No. Street.

No. Street.

to answer

Leon

0720

District Attorney's Office.

PEOPLE

vs.

Thomas H. Wilson

*By direction of Col
Fellow this case shall
be submitted to him
before going to the Grand
Jury*

*JM Leabe
clerk of court*

Sept 3^d 1889

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IN THE CORONER'S COURT OF THE CITY & COUNTY OF NEW YORK.
INQUEST IN THE MATTER OF THE : BEFORE
DEATH OF :
DAVID BARTLEY. : HON. FERDINAND LEVY,
CORONER,
AND A JURY.

NEW YORK, FRIDAY, AUGUST 30th, 1889.

For the Broadway & 7th Avenue Railroad Company
appeared MR. GEORGE W. HORN.

WILLIAM WHISPHER

(a police officer) sworn and examined.

BY THE CORONER:

Q. To what Precinct are you attached? A. The 15th.

Q. Please tell the Jury in what manner you were connected with this case of Bartley's? A. I was standing on the corner of 3rd Street and Broadway, the Southwest corner, and I saw this man crossing from the East side of Broadway to the West side. The car was coming down Broadway and I heard the driver holler to the man. The man had got across the track and the outside shoulder of the off side horse struck the man on

0722

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on the shoulder and knocked him down; it swung him around and his left leg went under the car. The front wheel of the car passed over his leg just below the knee and cut his leg off, and the driver stopped the car right away. I pulled the man out from under the car and pulled him up on the sidewalk. There was an ambulance happened to be passing at the time and it took the man to the Hospital and he died there the next day.

BY A JUROR:

Q. At what rate of speed was the car going? A. Well, it was going at a faster rate of speed than they usually drive.

Q. Was the driver paying attention to the horses?

A. Yes, he was doing his best to stop the car. The hind wheel of the car struck the man's legs just below the knee. I judge it shoved it about a foot and a half along before the driver stopped the car; but he was doing all in his power to stop it.

BY THE CORONER:

Q. Just tell us once more the rate of speed at which the car was going? A. I couldn't tell you the rate

0723

4
of speed, but it was going faster than they usually drive.

BY A JUROR:

Q. Was there anything obstructing the driver's view of this man in crossing? A. No, sir; there was nothing at all. There were not many trucks in the Street. It was about half past six in the evening; although there were a great many people on the sidewalk at the time.

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J O H N B E F Z A G

sworn and examined.

BY THE CORONER:

Q. How old are you ? A. 10 years.

Q. What is your residence ? A. 111 Lewis
Street.

Q. What do you work at ? A. Piano varnishing.

Q. Tell the Jury what you know about this occurrence
on the 18th of August about 9.30 P.M. Is that about
the right time ? A. Yes, sir. I was on the car
alongside the driver and as he was going down Broadway
passing 3rd Street this man was crossing the Street and
the driver yelled at him to stand back and he didn't
care to listen to the driver and walked on and as he
got to the other side of the track the car struck his
shoulder and it knocked him down and the wheel went
right over him. That is all I know about the case.

Q. Is that all that you saw at the time ? A. Yes,
sir.

Q. Where were you standing ? A. I was standing

0725

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right alongside of the driver, on the left hand side of the driver.

Q. Was the car going down town? A. Yes, sir.

Q. You were standing towards the West side? A. No, sir; towards the East side.

Q. Were there many people on the platform at the time? A. No, sir; there was only an Italian there.

By a JUROR:

Q. You say it was the car that struck his shoulder, or was it the horse? A. The car.

Q. Was it on the side of the car next to Greenwich Street? A. On the side towards the West side.

Q. And the horses had passed him when the car struck him? A. Yes, sir.

Q. Did the driver try to hold in the car? A. Yes, sir; he put on his brake as fast as he could.

Q. Did the man see the car coming? A. I couldn't tell you; he walked right across.

Q. Did he run or try to get across the car?

A. No, sir; he walked right slowly across.

Q. Did the driver swing his horses around at the time? A. The driver saw no chance to swing them

0726

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around.

Q. Well, how did the car hit his shoulder; he didn't walk backwards after he passed the horses, did he?

A. He kind of staggered backwards.

BY THE CORONER:

Q. Have you conversed with anybody about this case?

A. No, sir.

Q. How did you come here? A. The contractor asked my name because I was on the front platform, and I told him.

Q. Did you get a subpoena to come here? A. Yes, sir.

Q. Are you still working as a piano varnisher?

A. Yes, sir.

Q. With what firm? A. Peck & Son Broadway and 47th Street.

BY MR. HORN:

Q. Where did you take his car? A. At 47th Street and Broadway.

Q. Do you ride down on that road every night?

A. Yes, sir.

0727

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Q. Was that car going any faster than it usually goes? A. No, sir.

Q. Who was on the car with you? A. He and the driver and an Italian.

Q. Who else; was your father on that car? A. My father was inside.

BY THE CORONER:

Q. At what rate of speed was the car going? A. Slowly, the regular speed; it wasn't going fast at all.

Q. Then if the police officer who was on the stand a moment ago said it was going faster than usual, he was mistaken? A. I couldn't tell you. I know the car wasn't going fast at all.

Q. Then it is evident there is a misunderstanding as between you and the officer. The officer said it was going faster than usual; you say it wasn't going fast at all. A. I was alongside the driver all the time.

BY A JUROR:

Q. Were there any passengers on the car? A. Yes, sir.

BY THE CORONER:

Q. Do you know the number of the car? A. I

0728

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couldn't tell you the number of the car. All I know
is the driver's number was 172 or 173.

RICHARD DETZAG

sworn and examined.

BY THE CORONER:

Q. Where do you reside? A. 111 Lewis Street.

Q. Is that your son who just testified? A. Yes,
sir.

Q. Tell the Jury all you recollect about that case
on the 18th of August? A. Well, I mounted the car
at 47th Street and Broadway. I am employed at the
Peck Opera Piano Factory. I found the car going at
its regular gait all the way down and just as we got
down there at 3rd Street, or Great Jones Street, what-
ever you may call it, I heard the driver give a squeal
and I felt a jar of the car and I put my head out of
the window and I saw a man having his leg cut off.

0729

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That is all I can tell you. I was inside of the car.

Q. You didn't see the accident? A. I saw it after the man had his leg cut off.

Q. But you ~~still~~ didn't see the actual occurrence?

A. I was inside of the car.

0730

11

W A L T E R Q. B A R L

sworn and examined.

BY THE CORONER:

Q. Where do you live? A. At number 17 Bedford Street in this City.

Q. What is your occupation? A. Restaurant.

Q. Tell the Jury all that you recollect about this occurrence on the 10th of August last .

A. My duties brought me out on the day in question when the accident occurred. I was getting ^{change}~~change~~. Coming back from getting the change of a bill I stood on the corner of Broadway and Great Jones Street, or 4th, I don't know which it is called,- there on the corner,- and I stopped there to talk for a moment with a gentleman and facing the Street as I was the car was coming down very rapidly and an elderly gentleman started to cross the Street on the lower end of the crossing and the car was coming down at a very rapid rate and the driver called out loudly without putting on his brakes and the forward shoulder of the outside horse struck the man and knocked him down and the driver put on his brakes

0731

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but by that time the car had a good headway and ran over his leg and cut it off. I understood afterwards it was severed, and the man has died since.

BY MR. HORN:

Q. What corner do you say it was; 4th Street? A. It would be Great Jones Street corner.

Q. Were you on the West side of Broadway or on the East side? A. I was on the West side of Broadway.

Q. Great Jones Street don't cross Broadway does it?

A. It was on the corner where Great Jones Stops there, and whether the other side was Great Jones or Fourth I can't say.

Q. It was 3rd Street, wasn't it? A. It must be Third Street. I am not familiar with the Street on that side. I know Great Jones separates the two Streets.

Q. Were you in conversation with the officer at that time? A. I was.

Q. Which way were you looking; up or down? A. I was facing the car track, but it would be the Northeast corner. As I stood on the corner I was facing transversely across.

Q. Sort of diagonally? A. Diagonally it would ~~be~~
be.

0732

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Q. Then you didn't see the car until it got to the upper crossing, did you? A. I saw the car as it came near the upper crossing, and looking casually as anyone might be I saw an elderly gentleman crossing the Street at the lower corner and the car came rapidly down. The driver called to him and I think that he was bewildered or I don't know what it was, and he stopped.

Q. This gentleman that was crossing was coming right straight across on the southerly crossing of 3rd Street, just the same corner where you were standing, wasn't he? A. It was on the lower corner. When I first saw the car I was looking diagonally and I heard the driver cry out and I looked and saw the old gentleman walking across and I thought the driver would stop the car, but unfortunately he did not. I was standing looking up the Street and the car was above the upper crossing when I saw it.

Q. Which way was the police officer looking when you were in conversation with him? A. He was standing alongside of me. I don't know, but I judge he was looking the same way. It looked very much to me as though the driver was making up for lost time.

0733

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Q. How wide is that Street, do you think---third street? You were standing on the south cross walk and you saw the car at the upper crossing? A. I should judge it was thirty feet.

Q. You think the driver was making up time in thirty feet? A. I do. I think if the driver had put on the brakes instead of calling loudly the old gentleman would have been with us yet.

BY MR. H. DANIEL:

Q. I would like to ask which side of the old gentleman was towards the car or horses? A. His right shoulder; and the shoulder of the horse struck him and turned him this way (illustrating), knocking him down on his back and his feet were thrown crosswise on the track and his knees doubled up and he tried to scramble out and the forward wheel went over his leg and cut it off and the back wheel dragged the remaining piece of the limb that was left.

BY A JUROR:

Q. Did the front and back wheel both strike him?

A. The front and back wheel both struck him. The back wheel didn't go over his leg but it struck it so as

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to drag it. The car had slowed by that time and it dragged it along a trifle, a foot or two.

Q. Did the driver make any statement at the time, any excuse? A. I heard him make the statement but he hollered as loud as he could.

THE CORONER: The driver is here himself and you can question him.

Q. What was the condition of the Street that day?

A. Quite dry; so much so that the blood staid there in a dry puddle and the dust absorbed it.

0735

13

JAMES H. FAWCETT

sworn and examined.

BY MR. GRIFFIN:

Q. What was the physical condition of the late David Bartley in regard to his eyes and his hearing?

A. Well, he had only one eye, the right one. The other was a false eye, he having engaged in a fight some years ago and losing that eye. He had his left ear broken some years ago, and he was deaf, so much so that when he used to meet me in the morning between the bridge and the store to get a small loan from me he very seldom could see me, I would have to approach him.

Q. He had no wife or children, had he? A. His wife died some ten years ago. He had no children to my knowledge. I have been acquainted with him since my early childhood.

BY A JUROR:

Q. Do you know what his age was? A. He was born on January 27th, 1827; he was about 63 years of age.

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17

THOMAS PATERSON

sworn and examined.

BY THE CORONER:

Q. Where do you reside? A. 45 West 25th St.

Q. What is your occupation? A. Driver.

Q. What was the number of your car? A. It wasn't my own car. The number of the car was 534, I think.

Q. Go on and tell the jury what you know about the case? A. Well, gentlemen, on that day the man was coming across the Street slowly with his head down and both hands in his pocket and before I came within the length of that while the car stopped between the uptown track and the downtown track as I thought to look at the car go by and just as the heads of the horses were opposite him he never moved his head, never raised it up, he walked deliberately under them. So I pulled the car up, put on the brake and hollered and the off shoulder of the horse hit his shoulder and he swung around and his leg went like that (illustrating) under the car.

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BY A JUDGE:

Q. How long before that did you see the man? A. Not until I saw him making the motion to stand, sir. I thought he stopped to let the car go by, but he never raised his hand to look at the car or the horses or anything and just as the horses heads were by him that way (illustrating) he walked right under them. So I pulled the horses up, put on the bracks and hollered.

Q. He stood between the two tracks? A. Yes, sir; the track going up town and the track going down town.

Q. Did he stop there? A. Just for a moment, or so, as I thought to let the car go by, and just as the horses were up beside him he started to walk---

Q. (Interposing) When you hollered did he stand between the legs of the horses? A. I didn't holler until I saw him going to start to walk. When the horses heads were opposite him then I hollered and pulled on my horses and put my bracks on as tight as I could.

Q. Had you bells, as usual, on the harness? A. Yes sir.

Q. Which side did he fall on; between the tracks or outside? A. He fell outside on the West side of the

0738

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tracks. I gave the horses a chuck like that (illustrating) and put on the brake as quick as I could, but not quick enough.

W. H. S H A R P A T T

again and examined.

BY THE CORONER:

Q. Where do you reside? A. 208 West 49th St.

Q. What is your occupation? A. Conductor.

Q. Do you know anything about this accident; did you see it yourself? A. No, sir; I didn't see it until after it happened.

Q. Do you know at what rate of speed that car was going? A. I don't think the car was going fast.

Q. That is not the point. Do you or do you not know how fast it was going? A. No, sir; I couldn't say how fast it was going.

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Q. How long have you been conductor? A. Nearly a year.

Q. On the Broadway line? A. Yes, sir.

Q. What are the instructions you get with reference to the time that you are to take from the Depot to the Factory? A. 47 minutes.

Q. The depot is where? A. 50th Street and Broadway avenue.

Q. To South Ferry? A. Yes, sir.

Q. You are to make that in 47 minutes? A. Yes, sir.

Q. And if you don't make it that is the result? A.

A. Oh we never make it in that time excepting some days.

Q. Still you have instructions to make it and you endeavor to make it if possible, don't you? A. Well, no, sir. We run as near time as possible; we never run on time.

Q. Within what time do you make it on an average?

A. I should say about fifty minutes.

Q. Suppose you don't make it and you are over time, what then? A. There are no consequences; we have

0740

21.

nothing to answer for if we can't make it.

Q. Aint you called to account for that? A. No, sir; never.

Q. You cannot tell the jury how this car was over; you don't know about it? A. No, sir; I didn't know until it was done.

Q. What was the first thing you knew of it?

A. The first thing I knew of it was hearing the driver yell.

Q. What time? A. I looked over from the car and saw the man on the platform. His leg was off at that time.

BY A JUROR:

Q. Do you know whether the driver was in conversation with anybody on the platform at the time of the accident or not? A. No, sir; I don't think he was.

Q. Was he perfectly sober? A. Yes, sir; perfectly sober.

Q. Had he been driving with you long? A. No, sir; he was not my driver.

Q. Was your car delayed by a blockade or anything?

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22

of that kind? A. No, sir; I don't recollect of any.

STATEMENT.

THE JURY: What is the case, gentlemen.

The medical certificate is that David Bartley came to his death as the result of compound fracture ^{from} ~~being~~ having been run over by a horse car of the Broadway Railroad Company near Bond Street about 6.30 P.M., August 12th, 1889.

Now gentlemen, it is for you to say whether the occurrence was of an accidental character or not. If you believe the driver did all in his power to avoid the accident it is an accidental death, or death caused by accident. If you do not believe that the driver did all he could to prevent this fatal result, then the driver is to be censured, or anything you see fit to add in your verdict. Or if you believe the Company employ~~as~~

0742

25

incompetent people, although there is nothing that I can see here, unless you say the driver, from what you have heard of him, is not thoroughly competent to discharge the duties for which he is employed, you may consider that, if you think there is anything in the evidence to warrant you in so considering.

That is all I have to say, gentlemen. You may retire.

At this point the Jury retired and after some time spent in deliberation returned and submitted the following:

VERDICT.

"We, the Jury, find that David Bartley came to his death by injuries received by being accidentally run over by car No. 534 of the Broadway line at the corner of Broadway & 3rd Street about 6.30 P.M., on the 12th day of August, 1889, and we exonerate the driver, Thomas Patterson, from all blame."

ADJOURNED.

0743

TESTIMONY.

W^m A. Conway M. D., being duly sworn, says:
I have made an examination of the body of
David Bartley now lying dead at
St. Vincent's Hospital from such examination
and history of the case, as per testimony, I am of opinion the cause of
death is Comp. Comm. fracture of Tibia & Fibula
from having been run over by horse car of
Bway RR, on Bway near Bond St
about 6.30 P.M., Aug. 12/89.

W^m A. Conway M. D.

Sworn to before me,

this

13

day of August 1889

Edmund Levy

CORONER.

0744

MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
<i>about</i> 65 Years — Months — Days	<i>U. S.</i>	<i>St Vincent Hospital</i>	<i>Aug. 13th 1889</i>

F. I.

1203

SP. 676

Jrd. Quach.

1889

AN INQUISITION

On the VIEW of the BODY of

*Samuel Bartley*whereby it is found that he came to
his death by*Asphyxiation*

Communicated to the
St. Vincent's Hospital
having been run over by
the car of J. W. W. R.
on Broadway near Grand St.
about 6:30 P.M. Aug. 13th 1889

The Report of
Thomas Patterson

Inquest taken for the
body of
Samuel Bartley
by
JOHN J. LEVY, CORONER.

RECEIVED

670

0746

District Attorney's Office.

PEOPLE

vs.

Patterson

I think \$1000. -

bail would be

enough

just to insure

his return

0747

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 Patterson

The Grand Jury of the City and County of New York, by this
Indictment accuse Thomas Patterson

of the crime of *Manslaughter in the second degree, -*

committed as follows:

The said Thomas Patterson,

late of the City of New York, in the County of New York, aforesaid, on the
Twenty day of *August*, in the year of our Lord one thousand
eight hundred and eighty- *nine* - at the City and County aforesaid,

with force and arms, in and upon
one David Bartley, then and there
being, willfully and feloniously did
make an assault, and a certain car
drawn by two horses, then and there
being driven by him the said Thomas
Patterson, to, at, against and upon the
said David Bartley, then and there
willfully and feloniously did force
and drive, and drive the said David
Bartley, with the said car and the
horses aforesaid, so forced and driven

0748

as aforesaid, then and there intelligently
and feloniously did strike, caused to
fall down into the ground there, and run
over, by reason and by means of
which said striking, caused to fall down
and running over, one of the wheels of
the said car, upon and over the left
leg of him the said David Bartley,
did then and there pass and go, giving
unto him the said David Bartley,
then and there, by the means aforesaid,
in and upon the left leg of him
the said David Bartley, one mortal
wound and fracture, of which said
mortal wound and fracture he the
said David Bartley, from the said
tenth day of August in the year
aforesaid, until the thirteenth day
of August, in the same year
aforesaid, at the City and County
aforesaid, did languish and lan-
guishing did live, and on which said
thirteenth day of August, in the year
aforesaid, he the said David Bartley,
at the City and County aforesaid, of
the said mortal wound and fracture,
did die.

And as the Grand Jury aforesaid
do say: That the said Thomas

0749

Patterson, from the said David
Bartholomew, in the manner and form
aforesaid, and by the means
aforesaid, with full and lawful
aid, title and charge; 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
heirs.

John R. Fellows,
District Attorney

0750

BOX:

366

FOLDER:

3437

DESCRIPTION:

Pedro, Emilio

DATE:

09/16/89



3437

Witnesses:

Bridget Williams

Off M. S. Dixon

17th Precinct

Counsel,

Filed 16th day of Sept, 1889

Pleads, *Not guilty*

THE PEOPLE

vs.

Emilio Pedro

CONCEALED WEAPON.

(Section 410, Penal Code).

Pr. Sept 23/89 JOHN R. FELLOWS,

District Attorney.

Ind + convicted.

Pen one yr

A True Bill.

Chas. B. Dosantos

Foreman.

Sept 23

G.S.D.

0751

0752

Police Court, / District.

City and County } ss.
of New York,

William J. Dickson
 of No. Fourth Police Precinct Street, aged _____ years,
 occupation Police officer being duly sworn, deposes and says,
 that on the 28th day of August 1889, at the City of New
 York, in the County of New York, Emilio Pedro (now here)

did attempt to use against another
 and with intent so to use carried
 concealed a weapon of the kind
 commonly known as a dagger
 dirk or dangerous knife in violation
 of Section 410 of the Penal Code of
 the State of New York for the reasons
 that deponent is informed by Bridget
 Williams (now here) that the defendant
 was standing in front of her premises
 390 1/2 Water Street and asked her to
 come out upon the street and when
 she went out the defendant made
 a movement at his pantaloons and
 then said Williams ran back into the
 house. Deponent upon arresting the
 defendant, found the knife here
 shown concealed upon defendant's
 person.

Sworn to before me }
 this 28th August, 1889 }

James C. Briggs
 Police Justice

William J. Dickson

0753

CITY AND COUNTY } ss.
OF NEW YORK, }

Bridget Williams
aged *40* years, occupation *Boarding House Keeper* of No. *390 1/2* *Water* Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *William J. Dickson*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this *28* day of *August* 188*9* *Bridget Williams*
mark

Lo J. C. Kelly
Police Justice.

0754

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.*Emilio Pedro*

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. *Emilio Pedro*

Question. How old are you?

Answer. *42 years*

Question. Where were you born?

Answer. *France*

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

Answer. *I have no permanent home in City*

Question. What is your business or profession?

Answer. *Steamship Fireman*

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

Answer. *I am not guilty*

Emilio ^{his} Pedro
name

Taken before me this

28

day of August 1889

Police Justice.

James H. Kelly

0755

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 Aug 28 188 9 John J. Kelly Police Justice.

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

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

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

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

0756

Police Court---

1595
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William J. Dickson
vs.
Emilie Pedro

2
3
4

Offence *Carrying
Concealed Weapon*

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated *Aug. 28* 188 *9*

O'Reilly Magistrate.
Dickson Officer.

4 Precinct.
Witnesses *Bridget Williams*

No. *390 1/2* *Water* Street.

No. Street.

No. Street.

\$ *1000* to answer *by*

COMMITTED.

0757

COURT OF GENERAL SESSIONS.

-----X
The People :
v. :
Emilio Pedro, : Tried Sep. 23, 1889, Before
Indictment filed Sep. 16, 89: Hon. Rufus B. Cowing and
Indicted for carrying con- : Jury.
cealed weapons. :
-----X

Assistant District Attorney Bedford for the People.
Mr Walsh for the Defense.

B R I D G E T W I L L I A M S, the complainant,
testified that she was in New York on the 28th of August.
She lived at 390 1/2 Water Street. She was in her kit-
chen and the defendant came to her door about seven
o'clock in the morning. He was drunk. He began to
make a noise. She went out and said, "Frenchy, go home
and go to sleep; you are drunk." The defendant muttered
something and she left him, and one of her boarders
shoved him from the door. Then he went into the middle
of the street and said, "Come out/" She saw him put

0758

2

his hand in his pocket, but she went back to her business. About half an hour later, as she was about to go down town on business her daughter said, "There is Frenchy again." Then the defendant made a motion to call her out into the street. He also put his hand in his pocket. She, the complainant, said to her daughter, "Go for a policeman, because he means business." Her daughter could not find a police officer at the moment and she went to the station house. On the way she found a policeman. As she, the complainant, saw the police officer and her daughter approaching she ran to join them, and said, "He is in the liquor store there." A young man came out and said, "Mrs. Williams, he has a knife on him," and the officer said, "We will take it away from him," and she and the officer entered the liquor store and the prisoner was arrested.

Under Cross Examination, the complainant testified that she kept a sailors' boarding house at 390 1/2 Water Street. She had kept the boarding house about twenty or twenty-five years. She did not have a bar and did not sell drinks there. She did not sell any drink to the defendant. The defendant did not enter her place

0759

3

at all. He stood in front of the door. She did not see the defendant assaulted by any man. The defendant was not assaulted by the runner for her boarding house. She had known the defendant for about a year or fifteen months. The defendant had boarded with her about a year or fifteen months and then he caused trouble. The defendant was quite drunk that day.

OFFICER WILLIAM J. DIXON testified that he arrested the defendant on the 23th of August at about half past eight o'clock. He found a dagger upon the prisoner's person. The dagger was stuck down in his trousers between his shirt and his trousers. The defendant had no vest on. The defendant tried to push him away when he tried to unbutton the defendant's coat. Then he made the defendant submit to a search and found the dagger. In the Police Court when he was arraigned he said that he did not want to stab in the belly, he only wanted to stab in the leg.

Under Cross Examination, the witness testified that the handle of the dagger was sticking up out of his trousers and his coat was all buttoned up. When he, the officer, tried to unbutton the coat the defendant resisted and tried to push him away. The defendant was

0760

4

arrested in the corner store opposite the complainant's place. When the complainant advanced towards the defendant to identify him, saying "That's the man," the defendant would not let her approach him. The knife was concealed in the right side of the defendant.

The defendant testified that he lived in Catherine Street and he was a fireman by occupation. He had been employed aboard the steamship Pioneer. She was laid up for repairs. He had been going to sea for twenty-five years. He had a number of honorable discharges. He did not have the dagger upon his person.

0761

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Emilio Pedro

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

of a FELONY, committed as follows:

The said

Emilio Pedro

late of the City of New York, in the County of New York aforesaid, on the *twenty eighth* day of *August* in the year of our Lord one thousand eight hundred and eighty-*nine* at the City and County aforesaid, with force and arms, feloniously did furtively carry, concealed on his person, a certain ~~instrument and weapon of the kind commonly known as~~ *dirk, dagger and dangerous knife*, with intent then and there feloniously to use the same against some person or persons 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

of a FELONY, committed as follows:

The said

Emilio Pedro

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, feloniously did possess a certain ~~instrument and weapon of the kind commonly known as~~ *dirk, dagger and dangerous knife* by him then and there concealed, and furtively carried on his person, with intent then and there feloniously to use the same against some person or persons to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0762

BOX:

366

FOLDER:

3437

DESCRIPTION:

Petro, Gabriel

DATE:

09/18/89



3437

0763

Witnesses:

Domenico Salfino

106/ Counsel, *Laery*
Filed *18 Sept. 1889*
Pleads, *Properly*

THE PEOPLE

vs.

Gabriel Petro

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

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Chas. B. Richard
Foreman.

Sworn by Court
in his own person

0764

PART III.

THE COURT ROOM IS IN THE FIRST STORY.

If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

To Dominico Delfino
of No. 187 Spring Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 1st day of

October 1889, at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Gabriel Petro

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

JOHN R. FELLOWS, *District Attorney.*

0765

If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.
If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.
If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.

Court of General Sessions.

THE PEOPLE

vs.

Dominica Helfino.

City and County of New York, ss:

John H. Reilly being duly sworn, deposes and says: I reside at No. *3 Bank* Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the City and County of New York. On the *30th* day of *September* 188*9*, I called at *187 Spring St.*

the alleged *residence* of *Gabriel Petro* the complainant herein, to serve him with the annexed subpoena, and was informed by the *housekeeper* that he had left that house about *ten days* ago, and she did not know when he would return, or where he could be found.

Sworn to before me, this

of

October

188*9*

day

Thos A. Maguire

Commissioner in Charge

John H. Reilly

Subpoena Server.

Dick & Co

Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

Gabriel Petro

Offence:

JOHN R. FELLOWS,

District Attorney.

Affidavit of

John H. Peilly
Subpoena Server.

Failure to Find Witness.

0766

0767

Police Court First District.

CITY AND COUNTY
OF NEW YORK, } ss.

of No. 187 Spring Street,

Aged 35 years, being duly sworn, deposes and says, that

on Tuesday the 10th day of September

in the year 1889 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Gabriel Petro, now here,
who cut deponent on
the right side of the face
with some sharp instrument
he, Gabriel, held in
his hand; and who knocked
deponent down and beat
deponent on the face

with the felonious intent ~~to take the life of deponent,~~ 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 11th day

of September 1889

Dominica Delgrosso

POLICE JUSTICE.

0768

Sec. 198—200.

CITY AND COUNTY }
OF NEW YORK, } ss.

1st District Police Court.

Gabriel Petro 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.

Gabriel Petro

Question. How old are you?

Answer.

40 years of age

Question. Where were you born?

Answer.

Italy

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

Answer.

126 Bayter St. 40 days

Question. What is your business or profession?

Answer.

Bird dealer

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

Answer.

I am not guilty. The
Complainant was drunk

Gabriel ^{his}
X Petro
(Name)

Taken before me this

11th

day of September 188 5

Police Justice.

0769

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.....

Gabriel Petro

five ~~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 *September 11* 188 *g* *W. H. Hagan* 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.

0770

Police Court---

1341 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Dominico Delgado
187 vs. *Spring St*
Gabriel Petro

2
3
4

Officer
Amaret
Liberty

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *Sept. 11* 188*9*

Hogan Magistrate.

James E. Laiten Officer.

6 Precinct.

Witnesses *Carroll*

No. _____ Street.

No. _____ Street.

No. _____ Street.

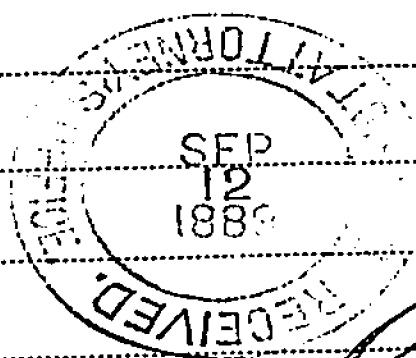
No. _____ Street.

No. _____ Street.

\$ *500* to answer *G.S.*

Carroll

Wash 2



0771

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Gabriel Petro

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

Gabriel Petro

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

The said

Gabriel Petro

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

Dominico Delfino
in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said Gabriel Petro

with a certain sharp instrument to the Grand Jury aforesaid
unknown, which he the said Gabriel Petro
in his right hand then and there had and held, the same being then and there
a weapon and an instrument and weapon, likely to produce grievous bodily harm,
him, the said Dominico Delfino then
and there feloniously did wilfully and wrongfully strike, beat, cut, stab
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.

0772

SECOND COUNT—

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

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

The said

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

in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make another assault; and the said *Gabriel Petro*
the said *Dominico Delfino*

with a certain *sharp instrument* ~~the Grand Jury aforesaid unknown~~
which *he* the said *Gabriel Petro*

in *his* right hand then and there had held, in and upon the
face of *him* the said *Dominico Delfino*

then and there feloniously did wilfully and wrongfully strike, beat, *cut, stab*
~~bruise~~ and wound, and did then and there and by the means aforesaid, feloniously,
wilfully and wrongfully inflict grievous bodily harm upon the said *Dominico*
Delfino to the great damage of the said *Dominico Delfino*
against the form of the statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0773

BOX:

366

FOLDER:

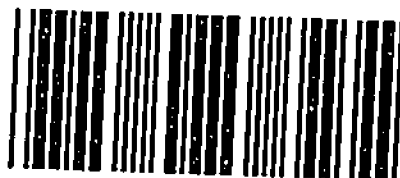
3437

DESCRIPTION:

Philips, Jennie

DATE:

09/25/89



3437

Witnesses:

David Kear
Off C.A. Tomba
6th Prec

Counsel,

Filed

25 Sept 1889

Pleads,

THE PEOPLE

vs.

Jennie Philips

Grand Larceny, 1st Degree.
(From the Person.)
[Sections 528, 580 Penal Code].

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Chas. B. Woodard
Sept 25/89 Foreman.
Clerk C. J. Woodard
Per: One year.

0774

0775

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, / DISTRICT.

Charles A. Formoso

of No. *6th Precinct* Street, aged _____ years,
occupation *Police officer* being duly sworn deposes and says,
that on the _____ day of _____ 188

at the City of New York, in the County of New York, *David Leary*

(now here) is a necessary and material witness
for the people against *Jennie Philips*
charged with larceny. That said *Leary*
is a non-resident and deponent fears
that said *Leary* will not appear or
found when wanted and prays that
said *Leary* be required to give bail
for his appearance and in default, be
sent to the House of Detention for witnesses.
Charles A. Formoso

Sworn to before me, this _____ day

of *September* 1889

David Leary Police Justice.

0776

CITY AND COUNTY }
OF NEW YORK, } ss.

POLICE COURT, / DISTRICT.

Charles A. Formoso

of No. *6th Precinct* Street, aged _____ years,
occupation *Police officer* being duly sworn deposes and says,

that on the _____ day of _____ 188

at the City of New York, in the County of New York, *David Leary*

(now here) is a necessary and material witness
for the people against *Jimmie Philips*
charged with larceny. That said *Leary*
is a non-resident and deponent fears
that said *Leary* will not appear or
found when wanted and prays that
said *Leary* be required to give bail
for his appearance and in default, be
sent to the House of Detention for witnesses.

Charles A. Formoso

Sworn to before me, this _____ day

of *September* 1889

Police Justice

0777

Police Court-

District.

Affidavit-Larceny.

City and County }
of New York, } ss.:of No. Boston Street, aged 23 years,
occupation Labourer being duly sworndeposes and says, that on the 30th day of September 1887 at the City of New

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

Person of deponent, in the night time, the following property, viz:

Good and lawful money of the
United States consisting of a
bank note or bill of the value 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 Jennie Phillips (now Lee)

for the reasons that between the
hours of 6 and 7 o'clock P.M. on said
night deponent and defendant were in
a saloon in Chatham Square drinking
together and said ^{deponent} defendant had said
money in the right hand pantaloons
pocket of the pants he then had on. When said
defendant placed her hand in said
pocket and took said money therefrom
and deponent caused her to be arrested and
when searched in the station house a
five dollar bill was found on her
person deponent therefore charges her
with the larceny of aforesaid

David Leary

Sworn to before me, this 21st day
of October, 1887

John J. Kelly Police Justice.

0778

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Jennie Philips being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is *h^e* right to
make a statement in relation to the charge against *h^e*, that the statement is designed to
enable *h^e* if he see fit to answer the charge and explain the facts alleged against *h^e*
that *he* is at liberty to waive making a statement, and that *h^e* waiver cannot be used
against *h^e* 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 the
defendant and I were in
a saloon drinking, and he
dropped the money and
I picked it up.

Jennie Philips
mon

Taken before me this

day of September 1887

Police Justice.

0779

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

Dated *Sept 21st* *1889* *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.*

0780

Police Court---

1450 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

David L. Loney

1. Jennie L. Loney

2. _____

3. _____

4. _____

Officer
the Person

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated

September 21st 1888

Magistrate.

Officer.

6th Precinct.

Witnesses

Complainant in

No. _____ Street.

No. _____

Street.

No. _____

Street.

\$1000 to answer

COMMITTED.

0781

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 Philips

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

Jennie Philips
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

Jennie Philips

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

one promissory note for the payment of money, of the kind commonly called United
States Treasury Notes, of the denomination and value of *five* dollars; *one*
promissory note for the payment of money of the kind commonly called Bank Notes, of the de-
nomination and value of *five* dollars; *one* United States Gold Certificate,
of the denomination and value of *five* dollars; *one* United States
Silver Certificate, of the denomination and value of *five* dollars;

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

John R. Fellows,
District Attorney.

0782

BOX:

366

FOLDER:

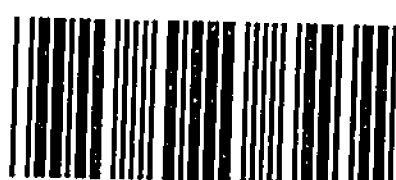
3437

DESCRIPTION:

Phillips, Frank W.

DATE:

09/16/89



3437

Bail returned to
\$500. Oct 28/89
Witness:

Philip P. Van Nostrand
Maria Phillips

After careful examination of the
facts I recommend a release of
bail herein.
Dec 13/89. Ad Parker
deputy

177 Emma S. Clark
115 B. B. B. B. B.
Counsel,
Filed 16 Sept. 1889
Pleaded, *Guilty*

THE PEOPLE
vs.
Frank W. Phillips
Dec 13/89
Bail Discharged

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

JOHN R. FELLOWS,
District Attorney.

A True Bill.
Chas. B. Roberts
Foreman.

Dec 12/89 1st Imp

0783

0784

Police Court—4th District.

City and County { ss.:
of New York,

of No. 446 West 54th Street, aged 27 years,
occupation Vendor being duly sworn
deposes and says, that on the 24th day of August 1889 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Frank M. Phillips (now here) who pointed
armed and fired a revolving
pistol loaded with powder
and fell at deponent's
body, and said assault
was committed

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

25 day

of

August

1889

Philip P. Van Nostrand,

Police Justice.

0785

Sec. 198—200.

4

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Frank N. Phillips being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is h 5 right to
make a statement in relation to the charge against h in that the statement is designed to
enable h in if he see fit to answer the charge and explain the facts alleged against h in
that he is at liberty to waive making a statement, and that h in waiver cannot be used
against h in on the trial.

Question. What is your name.

Answer.

Frank N. Phillips

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

New York

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

Answer.

N^o 1759 - 1 Avenue & about 2 weeks

Question. What is your business or profession?

Answer.

Carpenter

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

Frank N. Phillips

Taken before me this

day of *August* 188*7*

Police Justice.

0786

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

Dated Aug 25 1889 John J. [Signature] Police Justice.

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

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named _____

_____ guilty of the offence within mentioned, I order he to be discharged.

Dated _____ 188 _____ Police Justice.

0787

BAILED.

No. 1, by George H. Sutton
Residence 119 West 126th St.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court 4 District. 1249

THE PEOPLE, &c.,
ON THE COMPLAINT OF

P. P. Van Nostrand
446 W. 54th St.
Frank N. Phillips
1 _____
2 _____
3 _____
4 _____
Offence Arson
Tel. 1249

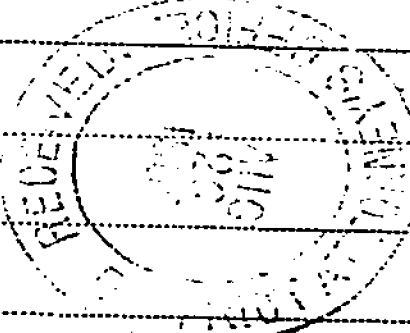
Dated August 25 1889
H. Murray Magistrate
Castellanos Officer.
72 Precinct.

Witnesses Maria Phillips
No. 446 W. 54th St.

No. _____ Street.

No. _____ Street.

\$ 2000 to answer G.S.



Arson
Arson

0788

PART I.

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

If this Subpoena is disobeyed, an attachment will immediately issue.

Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

To Maria Phillips
of No. 446 West 52d Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 30 day of

1889, at the hour of 11 in the forenoon of the same day, as a witness

in a criminal action prosecuted by the People of the State of New York, against

Frank M. Phillips

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

JOHN R. FELLOWS, *District Attorney.*

0789

PART I.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

To *Philip R. Van Nostrand*

of No. *446 West 52d* Street.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the *30* day of

October 1889, at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Frank M. Phillips

Dated at the City of New York, the first Monday of

October

JOHN R. FELLOWS, District Attorney.

0790

446 W 5th

Memo to 70672
Arrested one month
Mood anxiety & his
Mental state are
unknown

Oct 29/89
J. J. J.

P. R. R.

Re Est. app.

10 and

Ret 65-67-80

Deposited after his
1 month general release
- you pay of R. R.

Should the case not be called on for trial, and no reason
assigned in Court, please inquire in the District Attorney's
Office about it, and you may save time.
If inconvenient to remain, and you prefer another day,
state this early to the District Attorney, in the Court.
If ill when served, please send timely word to the District
Attorney's Office.
If you know of more testimony than was produced be-
fore the Magistrate, or if a fact which you think material
was not there brought out, please state the same to the
District Attorney or one of his Assistants.

0791

Court of General Sessions.

THE PEOPLE

vs.

Frank W. Phillips

City and County of New York, ss:

Eugene S. Schaack

being duly

sworn, deposes and says: I reside at No. 113 West 56th

Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the

City and County of New York. On the 29th day of October 1889, and on*Several previous times*
I called at 446 West 54th St.

the alleged

*residence*of *Philip R. Van Nostrand* and*Frank W. Phillips*

the complainant herein, to serve them

with the annexed subpoena, and was informed by the owner

of the premises that they had been dispossessed for their non-payment of rent and disorderly conduct. I learned they moved to 206 W 67th St went there & visited every floor and apartment in said house & made enquiries of all the tenants if they knew Van Nostrand or Phillips and saw none not known. went to the agent of the Building one J. Ruck real estate man on 10 Ave West side between 66 & 67 sts and he informed me that Philip Van Nostrand lived for 1 month in his building and was dispossessed for not paying his rent and other reasons which he did not inform me of.

Sworn to before me, this 30th day

of October 1889.

*Harry Herzbach**Eugene S. Schaack*

Subpoena Server.

Notary Public, N.Y. Co.

Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

Frank W. Phillips

Offence :

JOHN R. FELLOWS,
District Attorney.

Affidavit of

Eugene S. Leacock

Subpoena Server.

Failure to Find Witness.

0792

0793

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frank W. Phillips

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

— *Frank W. Phillips* —
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

Frank W. Phillips

late of the City of New York, in the County of New York aforesaid, on the *twenty-fourth* day of *August*, in the year of our Lord one thousand eight hundred and eighty-~~eight~~^{eight}, with force and arms, at the City and County aforesaid, in and upon the body of one *Philip R. Van Nostrand* in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *Philip R. Van Nostrand* a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *Frank W. Phillips* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, with intent *him* the said *Philip R. Van Nostrand* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

— *Frank W. Phillips* —
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Frank W. Phillips

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 *Philip R. Van Nostrand* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against *him* the said *Philip R. Van Nostrand* a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said *Frank W. Phillips* in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0794

BOX:

366

FOLDER:

3437

DESCRIPTION:

Portman, Henry

DATE:

09/04/89



3437

Witnesses:

Walter C. Ford

#10

Counsel,

Filed

day of

1889

Pleads,

THE PEOPLE

vs.

Henry Portman

JOHN R. FELLOWS,

District Attorney.

Grand Larceny, 2nd degree
(MISAPPROPRIATION.)
(Sections 528 and 531, of the Penal Code).

A True Bill.

Chas. S. Decker

Foreman.

Sept. 9/89
Wm. H. Decker
S. P. Swogger & Co.

0795

0796

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

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

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

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

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

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

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

0797

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Lester E Wood

vs.
Henry Portman

2 a fugitive from justice

3

4

Dated August 23rd 1889

John Magistrate.

Samuel G. Sheldon Officer.

Central Office Precinct.

Witnesses.....

No. Street.

No. Street.

No. Street.

\$..... to answer.....

0798

Police Court—2nd District.

Affidavit—Larceny.

City and County } ss.:
of New York, }of No. 343 West 23rd Street, aged 42 years,occupation Big Iron Merchant being duly sworndeposes and says, that on the 2nd day of February 1884 at the City of NewYork, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:Good and lawful money of the United States of the Amount and Value of Fifty dollarsthe property of Henry M. Warren and deponentand that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Henry Portman

from the fact that the defendant was in the employ of deponent and his copartner as Book Keeper and on said date the defendant drew from the St Nicholas Bank of New York one hundred and fifty dollars on a check of said firm and made a false entry in the cash book of said firm which ~~he was~~ ^{he was} in charge of as book keeper for said firm, defendant entered only one hundred dollars in said cash book and altered the stub in the check book to correspond with the entry in the cash book and ~~with~~ ^{with} used and appropriated the aforesaid fifty dollars to his own use wherefore deponent prays he may be apprehended and dealt with as the law directs

Lester E. Wood

Sworn to before me this

23rd day

of

1884

Police Justice.

0799

STATE OF NEW YORK.

In the Matter
of
Henry Portman, a Fugitive from
the Justice of this State.
-----X

City and County of New York ss.

Lester B. Wood, being duly sworn, deposes and says: I am the informant and principal complaining witness against the above named fugitive and am a member of the firm of Warren B. Wood, doing business as pig-iron merchants in this city. The defendant was in the employ of my firm for about two years up to the month of February last as a book-keeper. He is a single man about forty-five years of age. As to his previous history other than as is herein stated I have no knowledge.

(a) The fugitive is charged with the crime of grand larceny in the second degree in having, on the second day of February, 1939, stolen the sum of fifty dollars in money, the property of my firm. On that day he was entrusted to receive from the firm's bank the sum of one hundred and fifty dollars, and having received the same into his possession he returned to the firm the sum of one hundred dollars and appropriated the balance thereof to his own use.

(b) The said fugitive was actually in this State on the said second day of February, 1939, and

0000

there committed the said crime and I saw him in this city on that day.

(c) Thereafter and for the purpose of avoiding prosecution for the said theft he fled from the jurisdiction of this State and is now under arrest at the City of Philadelphia in the State of Pennsylvania as a fugitive from justice, as I am informed and verily believe. After the commission of said crime I reported the same to the Police Department of this city, and Chief Inspector Barnes of the said Police Department instituted inquiries for the purpose of ascertaining the fugitive's whereabouts. In the month of August, 1939, information was received that the said fugitive was working in the City of Philadelphia and thereupon instructions were sent to the Police Department of that city to cause his arrest, and on the twenty-sixth day of August, 1939, the said Chief Inspector Barnes received information from the Chief of Police of the said City of Philadelphia that the said fugitive had been arrested there and had been committed to await the action of the authorities here.

(d) After the fugitive's flight an investigation of his accounts and of the affairs of my firm showed that the fugitive had stolen during the period of his employment divers sums of money belonging to the firm in all aggregating ^{about} the sum of ~~three thousand~~ seven hundred dollars.

(e) This application is made in good faith

0001

3

for the sole purpose of punishment, and will not desire or expect to use the proceedings for the purpose of collecting a debt or for any private purpose, and will not directly or indirectly use the same for any of said purposes.

Sworn to before me this
fourth day of September 1907.

Leta Wood
W. H. Vongerichten
Notary Public (46)
N. Y. Co.

0002

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Henry Portman

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

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

The said *Henry Portman*,

late of the City of New York, in the County of New York aforesaid, on the
second day of *February*, in the year of our Lord
one thousand eight hundred and eighty*-nine*, at the City and County aforesaid, being
then and there the clerk and servant of *Henry M. Warren and*

Gertrude E. Wood, co-partners,

and as such clerk and servant then and there having in his possession, custody and control
certain moneys, goods, chattels and personal property of the said *Henry M.*

Warren and Gertrude E. Wood,

the true owner thereof, to wit: *The sum of fifty*
dollars in money, lawful money
of the United States of America,
and of the value of fifty
dollars.

the said *Henry Portman* afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said *sum of money*

to his own use, with intent to deprive and defraud the said *Henry M.*
Warren and Gertrude E. Wood
of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and
personal property of the said *Henry M. Warren and*
Gertrude E. Wood

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

JOHN R. FELLOWS,
District Attorney.

0003

BOX:

366

FOLDER:

3437

DESCRIPTION:

Primrose, William

DATE:

09/06/89



3437

Witnesses:

Joseph McCauley
Off. Defendant

The deft offers
a plea of an
attempt to commit
Grand Larceny after
an examination
I recommend that
the plea be accepted
Sept 9th 1899 G.S.A.
G.S.A.

23

Counsel,
Filed day of Sept. 1899
Plends, *Chapman*

THE PEOPLE
vs.
15 Charles St.
R
William Sumrose
Grand Larceny Second degree
[Sections 528, 531, 534, Penal Code.]

JOHN R. FELLOWS,
District Attorney.
Present 9/9/99
Pleas Attempt G.L. 2d deg.
S.P. 2 yrs.
A True Bill.

Charles B. Roberts
Foreman.

0004

0805

Police Court

2

District

Affidavit—Larceny.

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

of No.

277 Mott

Street, aged

24

years,

occupation

Fish & oyster merchant

being duly sworn

deposes and says, that on the

15

day of August

188

at the City of New

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

of deponent, in the

day

time, the following property, viz:

a horse and
wagon and load of feathers, w
all of the value of one
hundred and eighty five dollars
\$ 185

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

William Primrose, now

here. The said property was in
charge of John Lodge (now deceased).
Deponent is informed by said Lodge
that he left the said property at
the corner of Elizabeth Street and Grand
Street about quarter past three
o'clock in the afternoon of said date;
that in his absence the said
property was taken away, and that
the deponent was subsequently
found in possession of the horse
and wagon on Carmine St, and he
did sell the said feathers and
appropriated the money to his own
use.

Robert M. Conley

Sworn to before me, this 16 day of August 188

of August 188
J. M. W. B. Police Justice.

0006

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation _____ of No. _____

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

Sworn to before me, this _____

day of _____ 188 _____

Police Justice.

0807

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. William Primrose

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. U.S.

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

Answer. 115 Chrystie St - 8 years

Question. What is your business or profession?

Answer. Peeler

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. This property was left in
my charge and I had
a right to sell the peaches
I did not intend to steal
anything.

William Primrose

Taken before me this

day of August 1885

John W. [Signature]
Police Justice.

0000

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

William Drummond
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 Aug 16 1885 *J. M. [Signature]* *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.*

0809

Police Court---

1224 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Joseph McCauley
277 vs. Mott
Wm Brimrose

2

3

4

Office

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Aug 16 1889

Ford Magistrate.

Daniel Sullivan Officer.

15 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 500 to answer G.S.

Com glw

08 10

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William Primrose

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

William Primrose

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

The said

William Primrose

late of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *August* in the year of our Lord one thousand eight hundred and *nine* — , at the City and County aforesaid, with force and arms,

one horse of the value of one hundred and twenty-five dollars, one wagon of the value of fifty dollars, and one hundred quarts of peaches of the value of ten cents each quart

of the goods, chattels and personal property of one

Joseph McCauley

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.

0811

SECOND COUNT—

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

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

The said William Primrose

late of the City and County aforesaid, afterwards to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, *one horse
of the value of one hundred and
twenty five dollars, one wagon of the
value of fifty dollars, and one
hundred quarts of peaches of the
value of ten cents Each quart*

of the goods, chattels and personal property of one

Joseph McCauley

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

Joseph McCauley

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

William Primrose

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

JOHN R. FELLOWS,
District Attorney.

08 12

BOX:

366

FOLDER:

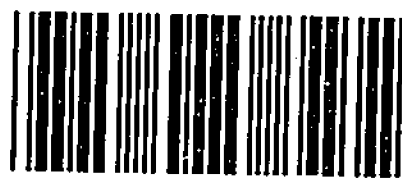
3437

DESCRIPTION:

Purcell, Edward

DATE:

09/25/89



3437

08 13

BOX:

366

FOLDER:

3437

DESCRIPTION:

Bryant, George

DATE:

09/25/89



3437

08 14

154

Witnesses:

Wm. D. Kelley
222 Peach
John D. Hunsley

Counsel,

Filed 23 day of Sept 1889
Pleads, Attorney

THE PEOPLE

vs.

Edward Russell
and
George W. Bryant

Grand Larceny, First Degree.
(From the Person.)
[Sections 528, 58. Penal Code.]

JOHN R. FELLOWS,

District Attorney.

Dec. 1, 1889. WMD

A True Bill.

Chas. B. Swain

Foreman.

Dec. 2/89

Wm. D. Kelley

Fred. H. Hunsley

08 15

Police Court—

District!

Affidavit—Larceny.

City and County } ss.:
of New York,

of No. 536 West 50th Street, aged 26 years,
occupation Truck Driver being duly sworn

deposes and says, that on the 16th day of August 1889 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession

of deponent, on the said time, the following property viz:

One Silver Watch
and Wristed Chain attached
of the total value of
fifteen Dollars \$15

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

Emma Mucell and
George W. Bryant both now
here for the reason that on
said night and date, Deponent
sat on the stoop of said house
at eleven o'clock, and had
just then looked at said
Watch to see the time; then
and there said Defendants
sat along side of Deponent
for a short time and after
about five minutes left
Deponent and went into said
house, when Deponent was
about to go up stairs he

Subscribed before me this
16th day of August 1889

Police Justice.

0817

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

37 District Police Court.

George W. Bryant 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.

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

Geo. W. Bryant

Taken before me this

day of *May* 188*9*

William H. Smith
Police Justice.

08 18

Sec. 196-200.

CITY AND COUNTY } ss.
OF NEW YORK,

34

District Police Court.

Edward P. Russell 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.

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
Edw Russell

Taken before me this

day of *May*

188*9*

William J. Starnes
Police Justice.

08 19

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.....

Defendants
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, *Each* and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated *Aug 29* 188 *g. H. Murray* Police Justice.

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

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

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

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

500 = to answer

0821

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*Edward Purcell and
George W. Bryant*

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

Edward Purcell and George W. Bryant
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

*Edward Purcell and
George W. Bryant, both -*

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

*one watch of the
value of twelve dollars, and
one chain of the value of
three dollars*

of the goods, chattels and personal property of one
on the person of the said

then and there being found, from the person of the said

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

John J. Hurley
John J. Hurley
John J. Hurley
John R. Fellows,
District Attorney.