

0546

BOX:

366

FOLDER:

3435

DESCRIPTION:

Nichols, Mamie

DATE:

09/06/89



3435

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BOX:

366

FOLDER:

3435

DESCRIPTION:

Randolph, Robert

DATE:

09/06/89



3435

0548

BOX:

366

FOLDER:

3435

DESCRIPTION:

Mersellier, Theodore

DATE:

09/06/89



3435

0549

BOX:

366

FOLDER:

3435

DESCRIPTION:

Scott, Walter

DATE:

09/08/89



3435

0550

Not Notarized
21 2 ready

Councils
Filed by Clerk
1899
Hads, C. V. Kelly

Grand Larceny, 589-592, Penal Code.
THE PEOPLE
vs.
Mamie Nichols,
Robert Raydolph,
Theodore Mercellier,
and Walter W. Scott

JOHN R. FELLOWS,
District Attorney.

Sept 13/89
Sept 13/89
A TRUE BILL
Sept 13/89

Chas. B. Dickcote
Foreman.

W. W. Leary
No. 4. 23/89
Judgment & Damages
W. W. Leary

Witnesses;
Charles B. French
Off Geo. Wynn
16 to French

0551

Police Court

2nd District

Affidavit-Larceny.

City and County of New York, ss.:

of No. 77 Christopher Street, aged 32 years, occupation No Occupation being duly sworn

Ernest Frenche

deposes and says, that on the 23 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, in the night time, the following property, viz:

One gold open faced watch one gold watch chain one gold ring one gold pencil case one silk handkerchief one silk umbrella one scarf one pair of shoes one Tracopouch two bunches of keys & pen knife altogether of the value of one hundred and twenty 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

Mamie Nichols Robert Randolph Theodore Mersellier Walter Scott (all now here) and another man not now arrested for the reasons following to wit; that at about the hour of twelve o'clock midnight on said date deponent met the defendant Mamie Nichols on 4th Street and East Washington Square and deponent went with said Mamie to her house no 16 1/2 Downing Street for the purpose of having a drink and deponent had one glass of beer and that is the last thing deponent remembers deponent had the above described property when deponent went into the house with the defendant Mamie Nichols the next thing deponent remembers was at about the hour of four o'clock A.M.

Sworn to before me this 18th day of August 1889 Police Magistrate

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the following morning deponent was sitting in front of the premises no 16 1/2 Downing Street in this deponents base feet with his ~~shoes~~ ^{deponents} ~~shoes~~ and said other property missing. Deponent is informed by Officer George ~~of~~ of the 16th Precinct Police that he found the watch chain here shown in Court in possession of the defendant Theodore Mersellie deponent identifies said chain as a portion of the property taken stolen and carried away as aforesaid. Deponent is further informed by Officer Thomas Burleigh of the 11th Precinct Police that he found in the room occupied by said defendant Mamie Nichols a silk handkerchief and silk umbrella here shown in Court and identified by deponent as his property. Said Mamie Nichols informed said Officer Burleigh that she had pawned the watch ring and pencil given to her by said defendant Randolph which said Burleigh recovered in the pawn office no 385 Canal Street which is shown in Court and identified by deponent as a portion of said stolen property.

Sworn to before me this

26th day of August 1894

Chas Henry French

J. Humphord

Police Justice

0553

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 24 years, occupation Police Officer of No. George Logan

The 116th Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Thomas H. Spruce

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

Sworn to before me, this 26 day of Aug 1889 George Logan

George Logan
Police Justice.

0554

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 39 years, occupation Thomas Parluigh
Police Officer of No.

7th Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Charles H. French

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

Sworn to before me, this

day of Aug 26 1889

G. M. ...

Police Justice.

0555

2

District Police Court.

Sec. 198-200.

CITY AND COUNTY OF NEW YORK

Mamie Nichols 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 *h*, that the statement is designed to enable *h* if he see fit to answer the charge and explain the facts alleged against *h* that *h* is at liberty to waive making a statement, and that *h* waiver cannot be used against *h* on the trial.

Question. What is your name?

Answer. *Mamie Nichols*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *16 1/2 Downing St 4 Months*

Question. What is your business or profession?

Answer. *Go out to days work*

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*

Mamie Nichols

Taken before me this

day of *Sept* 188*9*

Samuel J. ...

Police Justice.

0556

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Robert Randolph 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. Robert Randolph

Question. How old are you?

Answer. 30 years

Question. Where were you born?

Answer. Virginia

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

Answer. 24 Minnetta Lane 7 years

Question. What is your business or profession?

Answer. Laborer

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
Robert Randolph

Taken before me this

day of

188

[Signature]

Police Justice.

0557

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Theodore Mersellie 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. *Theodore Mersellie*

Question. How old are you?

Answer. *46 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *23 Minetta Lane 4 years*

Question. What is your business or profession?

Answer. *Truck 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*
Theodore Mersellie
Ward

Taken before me this

day of *August* 188*7*

John W. ...
Police Justice.

0558

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Walter Scott

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. Walter Scott

Question. How old are you?

Answer. 35 years

Question. Where were you born?

Answer. New York City

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

Answer. 23 Minnie Lane one year

Question. What is your business or profession?

Answer. Porter

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

Walter Scott

Taken before me this

Day of 26
188

Police Justice.

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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 200 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 26th 1889 J. Henry [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.

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Police Court--- 2nd 1768 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Leharant French
77 Christopher St
Mamie Nichols
Robert Randolph
Thomas Merrellini
Walter Scott

Office of John Jackson

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated Aug 26 1889

John [Signature] Magistrate.

John [Signature] Officer.

116 Precinct.

Witnesses Thomas Burleigh

of the 9th Precinct Office

Officer Mallon

No. 9th Precinct Office

Street

No. 385 Canal

Street

\$ 1500 to answer



[Signature] 1781

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Police Department of the City of New York,

Precinct No. 16

7-13/89

New York, August 25th 1889

Robert Randolph 30 yrs. I reside at
No 24 Minetta Lane. I heard the
Statement made by Mamie Nichols
I did meet Mamie at the Corner
of Minetta and Bleeker streets about
1³⁰ a m. Aug 24th She said
there is a man at my house 16⁷²
Dwoning street. and I cant get
him out - and wanted me and
Griffin Clayton - to put him out
we went there and found him
sitting on a bed. he asked me
if I lived here. I said no but
the girl that lives here says you
are trying to beat her. and I told
him the easy way was the best
and he then got up and came
out. and sat on the stoop. and
Griffin Clayton and I went back
again to the Corner Minetta & Bleeker
streets. and got our Corn boilers we
had left there a short time before
we. Met Mamie Nichols after we
put the man out and gave her the
Keys. I saw her about 2 or 3²⁴ m at
her mothers house. I said nothing about the
Robert Randolph

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Police Department of the City of New York,

Precinct No. 16

New York, August 25th 1889

Robert Randolph 30 yrs. I reside at
No 24 Minetta Lane. I heard the
Statement made by Mamie Nichols
I did meet Mamie at the Corner
of Minetta and Bleeker streets about
1³⁰ a m. Aug 24th She said
there is a man at my house 16^{1/2}
Downing street. and I cant get
him out - and wanted me and
Griffin Clayton to put him out
we went there and found him
sitting on a bed. he asked me
if I lived here. I said no but
the girl that lives here says you
are trying to beat her. and I told
him the easy way was the best
and he then got up and came
out and sat on the stoop. and
Griffin Clayton and I went back
again to the Corner Minetta & Bleeker
streets. and got our Corn boilers we
had left there a short time before
we. Met Mamie Nichols after we
put the man out and gave her the
Keys. I saw her about 2 or 3^{24th morn} at
her Mothers house. I said nothing about the matter
Robert Randolph

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Robert Ranaoeph

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Police Department of the City of New York,

Precinct No. 16

New York, August 25th 1889

Mamie Nichols 20 yrs. Residence 167 1/2 Downing street. Say. I met the Complainant in Sullivan street about midnight on the 23rd inst. he asked where I was going. I said I was going home. he asked me could he go along and I said yes. after I got in my house 167 1/2 Downing street he sent out for a pint of beer and drank part of it. we then went to bed. and he wanted to do something nasty and I would not let him. he then got up and wanted the dollar he gave me. back. I would not give it to him. he did not have sexual intercourse with me. I then went out the Complainant had his watch + chain. I met Robert Randolph + Griffin Clayton and told them there was a man in my house. and asked them to put him out they went in and put the Complainant out and locked my door. I saw them again in about half an hour. at the corner of Minetta Lane and Bleeker streets. Robert Randolph gave me the watch and chain Griffin Clayton was with him. he Clayton knew the watch and chain was stolen. I saw Robert Randolph while sitting at

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my mother's window. he said he wanted to speak to me and I came down to the foot of the stairs. he asked me for the watch & chain and he would pledge it I refused and told him I had pledged it myself. I gave the chain to my step father Theodore Marsallin, and he and Walter Scott went off together to pawn it. Walter Scott knew it was stolen for he and father was looking at it in the house. I pawned the watch myself in Canal street, near South Fifth avenue. gave the name of Smith I think 154 Sullivan street, and received seven dollars on it, and tore the ticket up

Mamie Nichols

Mamie Nichols

French

@ P. French

going away

at 1/10/1910

0566

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against
Mamie Nichols, Robert
Randolph, Theodore Mersell
ier and Walter W. Scott

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

*Mamie Nichols, Robert Randolph
Theodore Mersellier and Walter W. Scott*

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

The said *Mamie Nichols, Robert Randolph
Theodore Mersellier and Walter W. Scott*, all

late of the City of New York, in the County of New York aforesaid, on the *twenty third*
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,
*one watch of the value of sixty dollars,
one chain of the value of thirty dollars, one
ring of the value of ten dollars, one
pocket case of the value of ten dollars
one handkerchief of the value of one dollar,
one umbrella of the value of one dollar,
one scarf of the value of fifty cents,
two shoes of the value of three dollars
each, one tobacco-pouch of the value of
fifty cents, two keys of the value of ten
cents each, and one knife of the value
of one dollar.*

of the goods, chattels and personal property of one

Charles H. Frenche

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.

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SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said *Mamie Nichols, Robert Randolph, Theodore Mersellier and Walter W. Scott* of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said *Mamie Nichols, Robert Randolph, Theodore Mersellier and Walter W. Scott*, all

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 watch of the value of sixty dollars, one chain of the value of twenty dollars, one ring of the value of ten dollars, one pencil case of the value of ten dollars, one handkerchief of the value of one dollar, one umbrella of the value of five dollars one scarf of the value of fifty cents, two shoes of the value of three dollars each, one tobacco pouch of the value of fifty cents, ten keys of the value of ten cents each, and one knife of the value of one dollar

of the goods, chattels and personal property of one *Charles N. Frenche*

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

Charles N. Frenche

unlawfully and unjustly, did feloniously receive and have; the said *Mamie Nichols, Robert Randolph, Theodore Mersellier and Walter W. Scott*

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.