

0580

BOX:

364

FOLDER:

3424

DESCRIPTION:

Dale, Jeanette

DATE:

09/06/89



3424

Witnesses:

Julius Baugher

#18

Counsel,

Filed

Pleads,

day of Sept. 1889

THE PEOPLE

vs.

Grand Larceny, means Degree.

H

(From the Person.)

[Sections 628, 631 — Penal Code]

Jeanette Dale

H. D.

JOHN R. FELLOWS,

District Attorney.

12 Sept '89 - W.M.D.

A True Bill.

Chas. B. Roscoe

Foreman.

Sept 12/89

Spied & Accepted

1850

0582

Police Court

District

Affidavit—Larceny.

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

of No. Schoon Sarah A. Thompson Street, aged 40 years,
occupation Captain being duly sworn

deposes and says, that on the 20th 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 and person of deponent, in the day time, the following property, viz:

Three dollars lawful money of
the United States

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 Jeanette Dale (now Levy)

for the reasons that deponent had
said money in the pocket of the
vest then worn on his person and
the defendant inserted her hand
into said pocket and took said
money and ran out of the room
Julius Beukling

Sworn to before me, this 21 day of August, 1889

Lo J. DeBeauvoir Police Justice.

0583

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

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

Taken before me this

21st

day of August 188

Police Justice

0584

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 *August 21* *1889* *Do J. C. 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.

0585

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court---

1769 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Julius Beughling
vs.
Jaunette Dale

2

3

4

Dated

Aug. 21

188

O'Reilly Magistrate.

Clarke Officer.

4 Precinct.

Witnesses

No.

No.

No.

\$

5.00

to answer

COMMITTED

0586

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James A. De

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

James A. De
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said *James A. De*.

late of the City of New York, in the County of New York aforesaid, on the *fourth*
day of *August*, in the year of our Lord one thousand eight hundred and
eighty-*nine*, in the *day* 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 *two* dollars; *one*
promissory note for the payment of money of the kind commonly called Bank Notes, of the de-
nomination and value of *two* dollars; *one* United States Gold Certificate,
of the denomination and value of *two* dollars; *one* United States
Silver Certificate, of the denomination and value of *two* dollars;

three promissory notes for the payment of money, of the kind commonly called United
States Treasury Notes, of the denomination and value of *one* dollar each; *three*
promissory notes for the payment of money of the kind commonly called Bank Notes, of the de-
nomination and value of *one* dollar each; *three* United States Gold Certificates,
of the denomination and value of *one* dollar each; *three* United States
Silver Certificates, of the denomination and value of *one* dollar each;

and several counts, of a number, said
and denomination to the Grand Jury
aforesaid unknown, of the value
of three dollars.

of the goods, chattels and personal property of one *Julius Bentling*,
on the person of the said *Julius Bentling*,
then and there being found, from the person of the said *Julius Bentling*,
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. Adams,
Attorney

0587

BOX:

364

FOLDER:

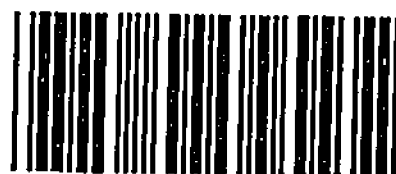
3424

DESCRIPTION:

Dalton, Peter

DATE:

09/11/89



3424

0588

BOX:

364

FOLDER:

3424

DESCRIPTION:

Gorr, Louis

DATE:

09/11/89



3424

Witnesses;
James Lynch
Off S. Steeles
13th Prec

Filed

Pleads

~~THE PEOPLE~~

24-5-1954 vs.

Peter Dalton

~~10~~ 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043

Louis Gore

JOHN R. FELLOWS.

District Attorney.

John Day Dr. M. C.

A True Bill

Chas. D. Bowditch

Pr Sept 17. 1884

For man.

ms 2 " P. L. f. 1209-24

ms. A.1.10.14.

11th - July / 20th 07th 1st 2nd 3rd 4th 5th 6th 7th 8th 9th 10th 11th 12th 13th 14th 15th 16th 17th 18th 19th 20th 21th 22th 23th 24th 25th 26th 27th 28th 29th 30th 31st

1592 m.

0599

0590

Police Court—

District.

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

of No. 240 Canaan Street, aged 34 years,

occupation liquor dealer being duly sworn

deposes and says, that the premises No. 253 Ringling Street, 13 Ward

in the City and County aforesaid the said being a four story
tenement building the ground floor
and which was occupied by deponent as a liquor store
and in which there was at the time a person being, by namewere BURGLARIOUSLY entered by means of forcibly opening a
transom over a door leading
into said premiseson the 20 day of August 1889 at the night time, and the
following property feloniously taken, stolen, and carried away, viz:Good and lawful money
of the United States consisting
of coins of diverse denominations
of the amount and value
of seven six dollars
\$7.00
\$6.00

the property of

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Peter Dalton and Louis Orr

for the reasons following, to wit:

at about the hour of
midnight on said date deponent
regularly locked and fastened
the doors, windows, and transoms
of said store, the said money
being on a slab behind the
counter of said store. Deponent
having found the said transom
opened and said money miss-
ing, he is informed by officer

0592

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 45 years, occupation Housekeeper of No.

254 Irvington

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

1887

20 } Magdalena Schimmel
A. J. Webb

Police Justice.

0593

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

3 District Police Court.

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

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I refuse to say anything or present.
Louis Gore

Taken before me this

day of

188

Police Justice.

0594

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Peter Dalton 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.

Peter Dalton

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

New York

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

Answer.

95 Sheriff Court. 13 years

Question. What is your business or profession?

Answer.

Fire proofing.

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.

Peter Dalton

Taken before me this

20

day of

188

Police Justice.

0595

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

Dated *Aug 24* 188 *4* *R. J. White* *Police Justice.*

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

Dated 188 *Police Justice.*

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

Dated 188 *Police Justice.*

0596

Police Court

37738 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Lynch
24 vs. Raymond St
1 Peter Dalton
2 Louis Gorr
3
4

Offense

BAILED.

No. 1, by Matthew Kyle

Residence Highbridge Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated

188

Magistrate

Officers

Precinct.

Witnesses

No.

Street

No.

Street.

No.

Street

\$

to answer

Veronica P. Smith

203 Rivington St

0597

G. WUERTH & Co.,
Manufacturers of
MOULDING AND PICTURE FRAMES,
In Gold, Hardwood and Bronze,
48 MARION ST.,

New York, Aug 26th 1889
To whom it may concern

This is to certify
that Louis Gorr has been
in our Employ for some
time & attended to his duties
regularly.

He left our Employ to better
himself, sickness we believe,
was partly the cause.

J. G. Wuerth & Co.

0598

We the Following Citizens of the
11th Ward, Do Testify to the Good
Character of Louis Gora

Jacob Stroh. 224 Rivington St.
Peter Stroh 99 Willett St
Louis Gilhousen 118 Pitt - also shoeing
at parties. Pfeiffer 130 Pitt St.

John E. Clark 5 Avenue D

Wm. Sunmachie 388 Houston
Diehl 229 Willett St
Philip Harmon 124 Willett
Wm. C. Kelly 93 Sheriff St
Frank Musky 93 Sheriff St.
William H. Kelly Jr 93 Sheriff St
Adam Reinhard 172 Broome St
Ernest Koth 93 Sheriff St.
Casper Deyer 91 Sheriff St.
Emil Reigand 91 Sheriff St
Ernst Grob 97 Sheriff St
J. Geo. Landwehr 250 Rivington
James Lynch 24 Cannon St
Joe Rank 254 Rivington St
Adam Gerhardt 82 Sheriff St
Henry Viel 91 Sheriff St
Thos. Grob 9 Sheriff St
Philip Faulhaber 81 Sheriff St.
William Lindorfer 387 E Houston St
D. Schuchert 319 Houston St
Casper Specht 371 E Houston St

0599

Isaac Herzfeld 363 East 9th St
Frederick Scheffer 384 East Houston St
And W. Schuller 384 East Houston St

0600

COURT OF GENERAL SESSIONS.

The People &c

-vs-

Louis Gorr

City and County of New York ss.

James Lynch of
Cor Sheriff and Rivington Street. in said City being duly sworn says
I am the complainant herein, I know the defendant Louis Gorr and
have known him for some time, and believe that until this time he
has always been honest and well behaved young man. It is my opinion
that the cause of this present trouble is due to the fact that he
was led unto the commission of the crime while under the influence
of drink, and that his present incarceration has had the effect of
keeping him in the future from committing any violation of law. His
family I know to be highly respectable and I cheerfully recommend
him to the merciful consideration of the Court.

Sworn to before me this
19th. day of September 1889.

CHAS. R. FISHER,
COM. OF DEEDS,
NEW YORK

James Lynch

Chas. R. Fisher
Notary Public
for the City and County of New York

0601

COURT OF GENERAL SESSIONS.

The People &c. *
-vs- *
Louis Gorr *
***** *

City and County of New York ss

Andrew J. Reeder

being duly sworn says I was the employer of above named defendant and have been such for years past He has always been an honest respectable and well behaved boy, I have repeatedly Entrusted him with the collection of moneys and he has always been faithful to the trust I placed in him, I ~~feel~~ from my knowledge of the boys character that he was misled and as he tells me, led into the commission of the wrong he did by reason of being under the influence of liquors, he not being addicted to its use.

Sworn to before me this 19th *
11th. day of September 1889. * *

Andrew J. Reeder

John H. Dye
Notary Public
New York Co
11x

0602

COURT OF GENERAL SESSIONS.

The People &c *
-vs- *
Louis Gorr *

City and County of New York s.s.

John Kraft of No-238

7th Street. George Landwehr, of 250 Rivington Street. Nicholas
Baltzer of 113 Willet Street. Frederick Hochgraef of 142 Pitt St.
in said City being duly sworn each for him self says, I have known
the defendant Louis Gorr for a period of about fifteen years, he
has always been an honest respectable industrious and well behaved
boy. That he has always lived at home with his parents and has con-
tributed to a great extent towards their support we know he has
never before been charged with the commission of crime and feel that
if the Courts extreme merciful consideration is extended in his
behalf its confidence thus entrusted in his future good conduct will
never be misplaced. He has been an exceptional good boy and we
can hardly believe that he could be guilty of the crime with which
he is charged.

Sworn to before me

this 19th day of September 1889.

Chas. R. Fisher,
Com. of Deeds,
City & County.
CHAS. R. FISHER,
COM. OF DEEDS,
NEW YORK

C.R.F. - as to George Landwehr
C.R.F. - as to Frederick Hochgraef

0603

COURT OF GENERAL SESSIONS.

People &c *

-vs- *

Louis Gorr *

City and County of New York ss

Jacob Pertsch of 184

Grand Street being duly sworn says, I am engaged in the stationery business at above place. I have known the defendant Louis Gorr. for about 15 years he has to my knowledge always been an honest and industrious young man If he should be discharged I will take him into my employ as I believe him still to be trustworthy and honest

Sworn to before me
this 19th. 1889.

*
*
*
*
*

Jacob Pertsch

CHAS. R. FISHER,
COM. OF DEEDS,
NEW YORK

0604

COURT OF GENERAL SESSIONS.

The People &c
-vs-
Louis Gorr

City and County of New York s.s.

John Stiebling of the
Post Office Department being duly sworn deposes and says, I have
known the defendant Louis Gorr for about fifteen years, to my knowl-
edge he has always been an honest, obedient, and hardworking young
man, I know from my knowledge of his Character that had he been in
his sober senses he would never had lowered himself into the com-
mission of the crime to which he has pleaded guilty and believe that
he will in the future so conduct himself as to merit the esteem of
his friend and the community.

Sworn to before me

September 19th. 1889.

CHAS. R. FISHER,
COM. OF DEEDS.
NEW YORK

Chas. R. Fisher
John Stiebling
Chas. R. Fisher
Chas. R. Fisher

0605

General Session

The People's

agst.

Louis Garrison

officiating as was
to character-

Friend & House
Ref's & Reply

0606

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Peter Dalton
and Louis Lyon

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

Peter Dalton and Louis Lyon

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

The said Peter Dalton and Louis

Lyon, both

late of the Twentieth Ward of the City of New York, in the County of New York, aforesaid, on the Twentieth day of August, in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the Store of one

James Lynch.

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

James Lynch.

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

0607

SECOND COUNT—

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

Peter Dalton and Louis Ligon
of the CRIME OF *Petit* LARCENY, committed as follows:

The said *Peter Dalton and Louis Ligon, both*
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the Ward, City and County aforesaid, in the *month* time of the said day, with force and arms,

did send Louis, of a number, kind
and denomination to the Grand
Jury aforesaid unknown, of
the value of six dollars,

of the goods, chattels and personal property of one *James Lynch,*
in the *Store* of the said *James Lynch,*

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

John D. Bellows
Attorney

0608

BOX:

364

FOLDER:

3424

DESCRIPTION:

Donohue, John

DATE:

09/18/89



3424

0609

BOX:

364

FOLDER:

3424

DESCRIPTION:

Degnan, James

DATE:

09/18/89



3424

06 10

BOX:

364

FOLDER:

3424

DESCRIPTION:

Sandford, William

DATE:

09/18/89



3424

0611

Witnesses:

James Regan
Sandford refuses to testify
against the defendants
there is no evidence
that will convict them
Nos 1 & 3 will be the case
except Sandford's testimony
the people being without
evidence it is respectfully
suggested that the deft
Nos 1 & 3 be discharged
before their own
recognition.
Sent 3 for 13/8/89
W. J. Spencer
Deputy Prob.

Counsel,

Filed

Pleads,

1889

THE PEOPLE

But guilty in the Third degree.
[Section 408.50, 652.8 and 530.]

James Regan
William Sandford
John Conohue
Name of 2. Conohue

JOHN R. FELLOWS

District Attorney

A True Bill.

Defendants discharged

Oct 24 1889

Foreman.

James Regan
William Sandford
John Conohue
Pen 6 months.

0612

Police Court—4 District.

City and County } ss.:
of New York,

of No. 140 West 52^d Street, aged 36 years,

occupation Liquor Dealer being duly sworn

deposes and says, that the premises No. 152 West 52^d Street, 22 Ward

in the City and County aforesaid the said being a Brick Building

and which was occupied by deponent as a Liquor Store

and in which there was at the time no human being, by name

were **BURGLARIOUSLY** entered by means of forcibly Opening a

door leading from the hallway
of said premises & deponents store
and premises

on the 25th day of August 1889 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Four hundred money of the
United States issue & the amount
and value of Six hundred and fifty
dollars and a quantity of cigars &
the value of Five dollars and being
of the value of Six hundred and fifty
dollars and

the property of Deponents
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by

James J. Brennan & William Samford
and John J. Brennan (are witnesses)

for the reasons following, to wit: that at or about the hour of

12 o'clock on said date deponents arrived
fastened and left said premises. Then
at or about the hour of 4 o'clock on said date
deponent was informed by a police officer
that said premises had been entered & as
deponent on going to said
premises discovered that said
premises had been entered &

0613

agrees and the said property jewelry
taken stolen and Carried away of
Dependent is informed by Rachel Wallace
that as or about the hour of 4. a.m. on said
date she saw the said Dependent
in Company with four other persons
enter Dependent's premises and
in about twenty minutes afterwards
the said Dependent and other persons
came out of said premises and
went away together Dependent is
further informed by William Sanford
that he saw the said Dependent and
Sanford coming out of Dependent's
premises having a quantity of money
and saying so their proceedings
Dependent therefore prays that the said
Dependent may be held to answer
said charge
this 3 day of September 1884 }
A. W. Mahon Coroner of the City of New York

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 1884
Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1884
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 1884
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

vs.

1

2

3

4

Offence—BURGLARY.

Dated 1884

Magistrate.

Officer.

Clerk.

Witness.

No.

St.

No.

St.

No.

St.

\$ to answer General Sessions.

06 14

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 34 years, occupation Servant of No. 157 West 57th Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Frederick M. Swann and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 2^d day of September 1887 } Rachel Wallace
Marshall
W. F. McMahon
Police Justice.

06 15

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 24 years, occupation Carper, Fleumer of No.

210 East 59th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Josephine M. Gunde

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

Sworn to before me, this

day of Sept 1888

W. H. Sandford

W. M. Mahon

Police Justice.

06 16

Sec. 198-200.

X District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss

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

Question. What is your name.

Answer. *James Degnan*

Question. How old are you?

Answer. *Six Years*

Question. Where were you born?

Answer. *New York*

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

Answer. *318 West 53 Street 1 month*

Question. What is your business or profession?

Answer. *Guardian*

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 with family*

James Degnan

Taken before me this

day of *October* 188*9*

Alfred M. Smith
Police Justice.

Sec. 198—200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Answer. I am not sure. I saw, ~~but~~
James Segman. and another
person. named John. Somewhere
in front of the Complainant's premises
Somewhere sent me for a stick of
wood. I saw Segman. attempting
to enter the premises by means of
climbing over the door. Through
the janitor's air about. Went ~~about~~
minutes afterwards I saw Somewhere
and Segman. Coming out of
the Complainant's premises
Segman had in his hands. a
quantity of money and Regars.
and Somewhere had a quantity of money
in his hands.

Miss Sandforth

Taken before me this

day of the month 188

188

Police Justice

06 18

Sec. 198-200

CITY AND COUNTY } ss.
OF NEW YORK }

4 District Police Court.

John Sandhu 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 *he*; that the statement is designed to
enable *he* if *he* see fit to answer the charge and explain the facts alleged against *he*
that *he* is at liberty to waive making a statement, and that *his* waiver cannot be used
against *he* 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.

Taken before me this

day of *August* 188*9*

A. J. M. Mulvaney
Police Justice.

06 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 Sydney

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Fifteen Hundred Dollars, Cash 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 3 1889 H. T. McMahon Police Justice.

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

Dated Sept 3 1889 H. T. McMahon 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.

0620

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by William O'Brien

Residence 873. 7th Avenue Street.

No. 4, by _____

Residence _____ Street.

Police Court

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Cornelius McLaughlin
vs. West 62nd St
James S. Sweeney
William Sweeney
John Sweeney

Offence

Dated September 3 1889

W. J. Mahan Magistrate

Leicester Officer.

24 Precinct.

Witnesses Rachael Wall

No. 151 West 52nd Street.

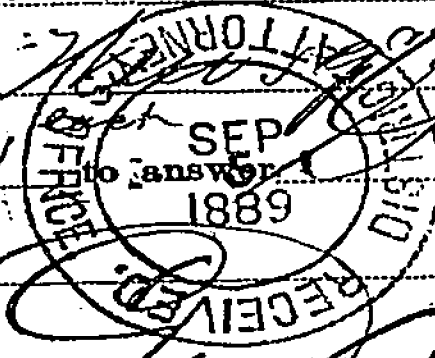
John Thompson

No. 151 West 52nd Street.

William Sweeney

No. 210 West 52nd Street.

\$ 1500



No 3rd District

0621

New York Sept 7th 1889
This is to certify that I
have been acquainted with William
Sandford for 25 years and have
found him and all of his family
honest and hard working people
They have worked in all of the
finest families in the city and
They have the best of reputation

Yours

S. Van Horn

242 West 58th St

City

0622

221 W 42nd St.

This is to certify that
I have known William Sanford
all his life, and I have
always esteemed him to
be honest, and have nev-
er heard anything to the
contrary. And I am pretty
sure that I would have
had knowledge of the
fact if he had been much
out of the way.

J. Robert Sherry
221 W 42nd St.

0623

New York September 6th 1889

Wesley Rindley & McLaughlin
Gentlemen:-

Sirs:-

I have known William
Sandford for the past
twenty one years the
prisoner in this case.

And to my own
knowledge have known
him to be a quiet
honest and inoffensive
boy during the whole
time and found him
industrious when ever
he had a job of
any kind to do, by
doing it with fidelity
and with despatch.

0624

New York, Sept. 7-89.

Sir, I have been
acquainted with William
Sandford for the last
15 years and have alwa-
ys found him to be an
upright, honest and
industrious man. His
family of Estlin high-
ly for their respectab-
ility & honesty and are
all at hard working

0625

people I can speak
of them all very
brightly.

Yours,
Respectful,

Mrs M. Ray

259 W. 41. St.

0626

New York Sept 6th 1879
Messrs Purdy and Mr Laughlin

I have known
William Sanford when he was
a baby and can give him
a good character so far as his
Morality is concerned he has always
worked and help is Father of
carpet cleaning when there was
any to do. It has only him a
few months since he was doing
hard and wood if I believe
he was a thief. I would not
come to his rescue he can
any standing would not
be lost and yours Respectfully

Samuel H. L. Wilson
224 E 80th Street

0627

The People
vs.
William Sandford.

{ Court of General Sessions, Part I.
Before Judge Gildersleeve.

September 24, 1889.

Jointly indicted with James Degnan and John Donohue for burglary in the third degree and grand larceny in the first degree.

Cornelius McQuade sworn and examined.

I live at 140 West 52nd Street and keep a liquor store at 152 West 52nd Street, I kept that liquor store on the 25th of August, it is a four story brick building and people live above, it is in the 22nd ward; on the 25th of August I closed the store about fifteen minutes past twelve and left nobody there, the front door was locked from the outside with a heavy padlock and the side door had a bolt running across it; there are three doors to the store but the third door is very rarely used, one of the panels was broken that night, there is a plate glass fanlight over the front door entering from the street, I left property in the store that night about three thousand dollars worth consisting of liquors and cigars and money, there was one hundred and twenty dollars in twenty dollar bills which was by itself, there was four hundred and eighty dollars in bills also, I think there was seven five dollar goldpieces and the rest was silver; this money was in one of Herrings safes, I was in the habit of locking it at night but it was not locked during the day, the safe was not locked this night, I left the handle so that if you gave it one turn it would shut, shut the bolts, I left it that way so that I could make change, my attention was

0628

called off and I did not go back to give it one turn more which would have turned the combination. Any person who happened to give it one turn could open the safe. I returned to my saloon about half past six or seven o'clock when I was sent for in the morning, I think the officer sent a man named Thompson for me, I came down immediately I did not see anything wrong with the front door but I saw the street all full of plate glass, I went in through the hall and the side door was all broken down, the panels were broken completely out, the door was open, the officer was there first, I went to the safe and found it locked, I went through the whole form of the combination and when I opened it I found the money over six hundred dollars was gone, I also missed brandy, tobacco and cigars, there was more than a box and a half of cigars missed worth about six or seven dollars; the fanlight was all broken.

I have seen the defendant a few times in 52nd Street, I have seen him also inside of my saloon but not very many times. I have known James Degnan for two or three years, he also visited my saloon. When I closed up the place on this night before the burglary Degnan was in the hall, there was some female there and I told him to get out, I do not remember that he was in the saloon that night but he may have been, I have known Joh Donohue this last year, I do not remember when I saw him last before this burglary. There was no person in the saloon when I put a portion of this money in the safe, one hundred and twenty dollars that night.

0629

Rachel Wallace sworn and examined.

I live 151 West 52nd Street and know Mr. McQuade by sight, I know where his store is, I lived at my place on the 25th of August on the second floor, I know Sandford the defendant but am not particularly acquainted with him, I have seen him frequently in 52nd Street. I saw him on the 25th of August between three and four o'clock in the morning, I was at my window listening to people dancing across the street, they had a party there, I had been up ironing, I iron very late at night, I saw the Defendant with a crowd of these other parties and then I saw him after he dispersed from them, he came on my side and went back and disappeared and afterwards he came up with a stick somewhere about five feet long and went across on the other side and they all went to Mr. McQuade's place of business; there were five altogether; they were standing near the curbstone on the side McQuade lives, standing nearly in front of the store which was closed, I did not recognize the other persons, they were medium sized men, I could not identify them, I only saw they were white men, they were standing there five or ten minutes. When the Defendant came back with the stick the other parties were right at the door. Had they moved away while Sandford had gone away? Only one of them went away, I don't know who it was, one of the white fellows, they walked a little piece up and made a kind of noise, a whistle and then they all came back together, the first thing I heard was a large crash of glass after they disappeared inside, I could not say who crushed the glass because they all went inside.

0630

After Sandford brought the stick I heard the next crash and after that they all came out and one man had a bundle concealed under his arm and he went up Seventh Avenue, I saw Sandford come out and they all went out together. As near as I can come to it they were about twenty minutes inside. I did not know where Mr. McQuade lived at the time, I wrote him a note and gave it to a little boy to take to his store.

Cross Examined. I could not identify any of the white men by their features, I did not see Sandford do anything but bring the stick.

John Thompson sworn.

I live 151 West 52nd Street in the same house where Mrs. Wallace lives, McQuade's saloon is opposite where I live, I lived there on the 25th of August, I know the Defendant by sight and saw him before the 25th of August almost every day; on the night of the 25th of August I saw him, I was sitting up at the window smoking and got up and looked out toward Seventh Avenue and saw two white young men, they stood there about five minutes and then went across to Mr. McQuade's place of business, presently I looked down again and I saw two more and they got over to McQuade's saloon and they stood holding a consultation like, one fellow lifted the other up over the transom of the door, he got inside, I saw his feet going in, then when he got inside he tried to open the door on the inside; it seems that half of this door is glass and the part below is a panel, they broke the glass trying to pry this door inside. By this time they made a kind of noise, I did

0631

not see the Defendant yet; these four white men went down toward Seventh Avenue and they staid away about fifteen minutes as near as I could tell; pretty soon after they thought everything was quiet they came back again; at this time I sqw this Defendant come up on the other side through our gate, he stood like as if he was watching for the other fellows, I don't know whether he was or not, after a while he went across the street over to the colored flat, he got on the steps, he sat on the bannisters and a white fellow came out from McQuade's place and said something to the Defendant, the Defendant came across again to our side just above the barber shop, there is an entrance you can go in and this man came out with a rail four or five feet and he went across and gave it to the white fellow, I heard them like asnf they were prying something open at the side door of the alley, they made a big noise.

My mother-in-law said "I believe those fellows are trying to get in," I said, "they are, because they got inside." My mother-in-law said, "I will go and call Mrs. Bradley and some of the neighbors", she went down and went through the gate of the back yard and called and nobody heard. We were sitting in the front part of the house and she came back and said, "I can't get anybody awake, if I get up they will hear me (the burglars) and they will all go out. I said, "wait till morning and then we will notify Mr. McQuade." So we notified Mr. McQuade about it. I saw four white men and one colored leave the saloon together and the colored man was the defendant; they went down 7th Avenue and up toward 53rd Street. It seemed as though they broke the glass after the fellow got over the transom

0632

inside. I saw the door the next day when I went to work, I went to work that Sunday, I do not think I could be mistaken when I say that the glass in the door was broken although Mr. McQuade said there was no glass broken in the door. I have told you as I seen it, I don't know what a fanlight is. I did not see any glass broke at all in the transom; it was a rail belonging to a fence that the Defendant got, they all went into the saloon after he got the rail. When they left the saloon it seemed to me they had something under their coats like cigar boxes.

John E. Lawless sworn.

I am an officer of the 22nd precinct and know the premises of Mr. McQuade 152 52nd Street, they are in the 22nd ward, I arrested the Defendant about a week after the burglary in 52nd Street off Second Avenue about half past seven or eight o'clock at night upon the complaint of Mr. McQuade. The lady witness told me that Sandford was one of the parties who it was claimed had broken into the place, she told me on the 25th, I knew where the Defendant lived and went after him but I could not get him, I went over to 59th Street to his father's place, I did not go inside myself, I sent another party over to see if the defendant was there, I was personally acquainted with Sandford because he worked with me previously at the Windsor Hotel about nine years ago. When I arrested him I told him what he was charged with, he said he was compelled to do it by Degnan and Donohue; he told me that he was standing on the other side of the street and Degnan called him over and said "you black son of a ---- I want you to get a stick until we break this fanlight, we are going to

0633

do McQuade" ; he says, "Degnan took Donohue and forced him through the fanlight"; he said, "I did not go there until after they broke the fanlight with a stick." That was the Defendant's statement to me and on that statement I arrested Donohue and Degnan, at least Donohue came down to the Station House and gave himself up as soon as he found he was wanted. The Defendant said he got a glass of beer and thirteen cigars out of the job and that was all. I took the Defendant before the Magistrate, I think the signature on the paper shown me is his.

William Sandford sworn and examined in his own behalf, testified:

I have never been arrested before, I am a carpet cleaner and have lived in New York all my lifetime , I work^{ed} for Mrs. Dixon in 45th Street two or three years, I worked in a flat in 51st Street between 8th and 9th Avenue two and a half years and worked in the Windsor Hotel 46th Street and Fifth Avenue about nine or ten months, I worked in the skating rink Broadway and 52nd Street three or four months ; I went to work to earn my living about nine or ten years ago, I am now twenty-two years old and live with my father at 210 East 59th Street, I don't know Degnan or Donohue personally but I have seen them before, I don't know anything about the burglary; when I was going through 52nd Street on Saturday evening August 24, I saw Donohue lift Degnan over the fanlight of McQuade's liquor store; when they seen me they got down and asked me to get a stick; I went across the street to get the stick and when I came back they were gone, I threw the stick down and

0634

went around to O'Brien's liquor store and got a glass of beer and about twenty minutes after Donohue and Degnan came in and asked me to take a drink, I seen some change and bills in their hands and they gave me a few cigars, about six or seven. I saw Degnan help Donohue over the fanlight but I did not see him drop in, I did not know that those men were committing a burglary, I did not know what they were doing, I thought they were doing nothing right, I was afraid they might do something to me because Degnan said if I did not get the stick he will crack me; they didnot say what they wanted the stick for, I got the stick across the street and when I came back I did not see them; this was midnight, about two or three o'clock, I was down at my aunt's in 36h Street and Seventh Avenue and I went to buy a pair of shoes, my aunt's name is Susan Jones and she is in Court, I don't know where they got the cigars. I was working at this time with my father down in a club in Church Street, a telegraph operators club, I went to work with my father on Monday morning and was working up to my arrest, I did not run away but I staid in the city. The only men I saw around McQuade's place were Degnan and Donohue.

Cross Examined.

I have never been arrested before for anything, I lived in 59th Street between Second and Third Avenues, my aunt lives in 36h Street and Seventh Avenue and McQuade's place is in 52nd Street near 7th Avenue, I got my shoes first down in Baxter Street about half past eleven o'clock and then took my time in walking to my aunt's, I went through Canal and Thompson Streets but I am not acquainted down

0635

much with the streets; when I got to my aunt's I found my cousin Henry Edgar Jones and my other cousin William Jones and my aunt and little cousin John Jones, they are not in Court except my aunt. I got there about half past twelve and must have staid about an hour and a half and then I turned to go home, I did not know that Donohue live in 52nd Street or that Degnan lived in 53rd Street. When I first saw Degnan and Donohue they were in McQuade's doorway, I walked past them and when they saw me they got down and Degnan asked me to get a stick, there was nobody else around but them, I walked across the street and picked up a piece of wood simply because they asked me, I did not know what they wanted it for, it took me about five minutes to get the stick, I thought it was rather strange for them to be going over the fanlight at that hour of the night, I went around to O'Brien's liquor store corner of 53rd St. and Seventh Avenue and then it was about two o'clock, the side door was open and the bar-tender and a few other men were in there. They gave me cigars but no money. The signature to the paper now shown me is mine. I swear in this statement that I saw Donohue and Degnan come out of the complainant's premises after I got the stick and that Degnan had in his hands a quantity of money. That part of the statement is not right. Why did you sign that, then? I was all worked up at the time, I only made one mistake.

It is not true what Officer Lawless swore to when he said that he told me I was charged with breaking into the premises of McQuade and that I said one of the men told me "you black son of abitch" or something to that effect, "go and get us a stick, we are going to do up McQuade to-night."

0636

I did not tell the officer any such thing. I slept at home every night after the 25th of August, I heard of the burglary on the Sunday following but did not tell the police anything about it because it was none of my business but I did tell a young man named Roscoe Wiggins who keeps a cigar store and a young man named Barker and Parron and Seaman, I don't see any of them in Court.

William Sandford sworn.

I am a carpet cleaner and lived in New York all my lifetime; the prisoner is my son, his character for honesty is good, he has always been my chief one to do my work. I live 210 East 59th Street, I heard my boy come in on the night of the 26th of August.

Susan Jones sworn.

I live 481 Seventh Avenue corner of 36th Street, the defendant Sandford is my nephew, he was at my house on the 25th of last August, I don't know exactly what time it was he got there but I saw him, I don't know anything detrimental to his character, he is honest as far as I know and he has not been connected to my knowledge with any criminal offence. I am positive it was the 25th of August when I saw him, I know it was on a Saturday.

Albertina Lawson sworn.

I lived at 210 East 59th Street and know the Defendant William Sandford and his reputation for honesty has always been good. I never heard of him being connected with any criminal offence.

0637

Samuel H. L. Wilson sworn.

I reside No. 224 East 80th Street, I have known William Sandford since he was a little baby and during that time I have always found him honest, I never knew him to be connected with any criminal offence and I am astonished to hear so.

Mr. Purdy
Mr. Purdy: I have a large number of recommendations from parties as to this man's character in various places where he has worked, I know they are not evidence.

The Court
The Court: If you satisfy Mr. Davis and the Court that they are genuine probably we would let them in, you ought not to offer them unless you know all about them yourself.

The Jury
The Jury rendered a verdict of guilty of petty larceny.

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11

Testimony in the case
of William Sanford
filed Sept. 1889

1889.

THE STATE OF NEW YORK, in and for the County of ...

Know all men by these presents, that I, the undersigned, ...

do hereby certify that the within and foregoing is a true and correct ...

copy of the original of the same, as the same appears from the ...

records of the County of ...

and that the same is a true and correct copy of the original of the same, ...

as the same appears from the records of the County of ...

and that the same is a true and correct copy of the original of the same, ...

as the same appears from the records of the County of ...

and that the same is a true and correct copy of the original of the same, ...

as the same appears from the records of the County of ...

and that the same is a true and correct copy of the original of the same, ...

as the same appears from the records of the County of ...

WILLIAM SANFORD, Clerk of the County of ...

0639

AMBROSE H. PURDY.

LAW OFFICE OF
PURDY & McLAUGHLIN,
280 BROADWAY,

JAMES W. McLAUGHLIN.

General Session Court New York, November 6th 1889

The People—
vs.
Jas Hoofstuis
Jas Dignan & Mrs Donohue

Ass District Atty Jerome
Dear Sir

Will you please take
the above cases off the Calendar to day and set them
down for Friday or Monday peremptorily as Mr
Purdy & myself are actually engaged at Supreme
Court in the trial of the cause of Pfander vs Laro.
and will probably be engaged in the same to day
and tomorrow, and will try the above cases when
ever it may suit your convenience.

Yours
James W. McLaughlin

0640

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Deegan, William Sanford and John Sandme

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

James Deegan, William Sanford and John Sandme

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

The said *James Deegan, William Sanford*

and John Sandme, all

late of the *Second* Ward of the City of New York, in the County of New York, aforesaid, on the *12th* day of *August*, in the year of our Lord one thousand eight hundred and *nineteen*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *Store* of one

Randolph McDade,

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

Randolph McDade,

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

0641

SECOND COUNT—

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

James Deagan, William Sandford and John Dandine
of the CRIME OF ~~Grand~~ LARCENY in the ~~first~~ degree committed as follows:

The said *James Deagan, William Sandford*
and John Dandine, all _____

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

~~time of the same day,~~ divers promissory notes for the payment of money, being
then and there due and unsatisfied (and of the kind known as United States Treasury
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the
payment of and of the value of *six hundred and fifty* _____

dollars; divers other promissory notes for the payment of money, being then and there due
and unsatisfied (and of the kind known as Bank Notes), of a number and denomination
to the Grand Jury aforesaid unknown, for the payment of and of the value of

six hundred and fifty _____
dollars; divers United States Silver Certificates of a number and denomination to the Grand
Jury aforesaid unknown, of the value of *six hundred and fifty* _____

dollars; divers United States Gold Certificates of a number and denomination to the
Grand Jury aforesaid unknown, of the value of *six hundred and* _____
fifty _____

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid
unknown, of the value of *twenty five dollars, and*

one hundred pieces of the value
of five cents each, _____

of the goods, chattels and personal property of one *Randolph McDade,*

in the *Store* of the said *Randolph McDade,* _____

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

John A. Deagan,
Attorney

0642

BOX:

364

FOLDER:

3424

DESCRIPTION:

Devlin, William

DATE:

09/18/89



3424

0643

BOX:

364

FOLDER:

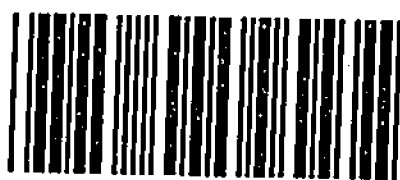
3424

DESCRIPTION:

O'Hare, Thomas

DATE:

09/18/89



3424

0644

BOX:

364

FOLDER:

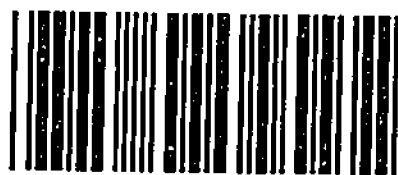
3424

DESCRIPTION:

Williams, James

DATE:

09/18/89



3424

0645

Witnesses:

Harveer Christensen
Off. Finance Chelton
Central Office

Counsel,

Filed

188

Pleads,

THE PEOPLE

vs.

William Devlin
Thomas O'Hare
James Williams

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

JOHN R. FELLOWS,

Oct. 7/89. Pt. 2. District Attorney.

Caught not present. Have
personal service made. If
not found, have affidavit
subpoena.
A True Bill.

U. M. D.

Acgt

Chas. B. DeLuch

Foreman.

Part 2 Oct 14

Part 2 Oct 22/89-
All tried and acquitted

0646

Reopened & checked

Mrs. George J. J. J.

John R. J. J.

1891

District Attorney
I wish to call your attention
to this case which I have been
subpoena 7 times 3 for the
grand jury and 4 for the
General Sessions against
Wm. Devlin on August 20.
A young man made remarks
to me that his watch was
stolen on the front platform
of A. B. & C. N. Y. 12 S.
and 13 street by 3 young
men at 7 P. M. I got a
note to go to Jefferson
Market the 24th I was
there and the question was
asked as this

0647

Sid I saw three men behind
the car. I did not see them.
~~was asked if I saw~~
who say his watch was stolen
and a case number.

Where these 3 men got off?
at 26 st. Did the run in them
the got off, no I was asked was
there any other persons on the
car. yes. 3 who got off at 26 st.

so I am that is all I know
about the case. yesterday
I was at the General Sessions
October 2nd. The case was not
called over. I wish you would
have my name cut off.

0648

as I can not afford to
lose many of the line

John Murphy

1159 West 53. St.

San Diego, Cal.

Best line

0649

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, 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 4* 188 *9* *J. S. [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.

0650

1000. bail each
for Aug 24th 10am

Police Court---

District.

THE PEOPLE, &c

ON THE COMPLAINT OF

31 Jefferson St.
Lawrence Christensen
551 1/2 St. 7th Floor East
William DeLam
Thomas O'Hare
James Williams

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated Aug 22 1889

Magistrate.

Sheldon & Howard Officer.

Precinct.

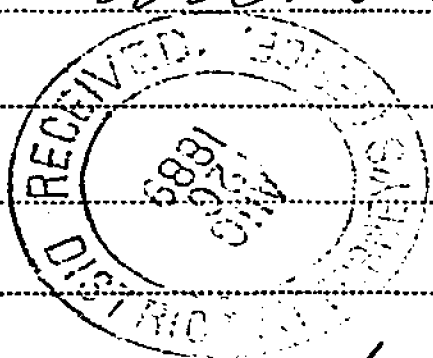
Witnesses

No. 454 West 53 Street.

No. _____ Street.

No. _____ Street.

\$ 500 each to answer



0651

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

2 District Police Court.

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

Question. What is your name?

Answer.

James Williams

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

New Jersey

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

Answer.

252 West 41st Street 15 months

Question. What is your business or profession?

Answer.

Bricklayer

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

Answer.

I am not guilty
James Williams

Taken before me this

day of

188

Police Justice.

0652

Sec. 193-200.

CITY AND COUNTY
OF NEW YORK, ss.

2 District Police Court.

Thomas O'Hare 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 O'Hare*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *New York State*

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

Answer. *523 West 34th St 2 years*

Question. What is your business or profession?

Answer. *Bricklayer*

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 O'Hare

Taken before me this

day of

189

Police Justice.

0653

Police Court

2nd District

Affidavit—Larceny.

City and County } ss.:
of New York,

of No. ~~24~~ Laurence Christman ~~Street~~ New Jersey Street, aged 26 years,
occupation upholsterer being duly sworn
deposes and says, that on the 20 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 and person of deponent, in the night time, the following property, viz:

One Silver watch of the value of
Seven 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

William Devlin Thomas O'Hare
and James Williams (all now here)
from the fact that at about the hour of
seven o'clock P.M. while deponent was a
passenger and on the front platform of one of the
Belt Rail Road cars the three defendants
stood alongside deponent on said car and that
the defendants crowded against deponent and
deponent saw the defendant Devlin with his hand
on deponent's watch chain and there was not any
other person on the platform of the car with deponent
but the three defendants and the driver of said
car and immediately after the three defendants
left the car deponent missed the watch from
the left hand side pocket of deponent's vest
worn on the person of deponent and after the

Sworn to before me, this 1889

Police Justice.

0654

defendants left said Car defendants saw
them the defendants looking at something
under a Street Lamp for the corner of
Fourteenth Street and Tenth Avenue

deponent positively identifies the three defendants
as the men were on the platform of said Car
with deponent and deponent Charles said
defendants with acting in concert with each
other in taking, stealing and carrying away
said property from the person of defendant

Sworn to before me

this 22nd day of August 1904
G. H. [Signature]

Lucas Christensen

Police Justice

0655

Sec. 193—200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

William Devlin 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. William Devlin

Question. How old are you?

Answer. 21 years

Question. Where were you born?

Answer. New York City

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

Answer. 206 West 62nd St L-9 Manhattan

Question. What is your business or profession?

Answer. Painter

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

Answer. I am not guilty

William Devlin

Taken before me this

day of

188

Police Justice

0656

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 Devlin,
Thomas O'Shea and
James Williams*

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

*William Devlin, Thomas O'Shea and
James Williams*
of the CRIME OF GRAND LARCENY in the *third* degree, committed as follows:

The said *William Devlin, Thomas O'Shea,
and James Williams*, all

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

seven dollars.

of the goods, chattels and personal property of one *Saurene Christensen*,
on the person of the said *Saurene Christensen*.
then and there being found, from the person of the said *Saurene Christensen*,
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 D. Kellows,
District Attorney*

0657

BOX:

364

FOLDER:

3424

DESCRIPTION:

DeWitt, Homer

DATE:

09/25/89



3424

0658

Witnesses:

Charles F. Matthews

Oct 29th 1889

This indictment should be dismissed. The evidence submitted upon this application for a new trial is such as to make it appear that the People should never be acquainted with this case.

J. R. Adams
Dist. Atty

14/10/1889
14/10/1889
14/10/1889

Counsel,

Filed

1889

Pleads

Guilty

THE PEOPLE

vs.

Matthews

Home De Witt

HD

Crime against nature
(Sec. 303, Penal Code)

JOHN R. FELLOWS
District Attorney

Filed for at 29th Oct 1889

A TRUE COPY

of the original

which is on file

in the office of the

District Attorney

at New York

Oct 29th 1889

Part III October 29th 1889

Filed and connected

with communication to the

Master of the Court

at New York

Oct 18/89

0659

COURT OF GENERAL SESSIONS OF THE PEACE,
for the City and County of New York.

-----#
The People of the State of New York,
:

against
:

H O M E R D E W I T T .
:
-----#

To
JOHN R. FELLOWS, ESQ.,
District Attorney.

S I R : -

Please to take notice that, on the indictment herein, on the evidence taken upon the trial of this action, upon all other papers and proceedings herein, and upon the annexed affidavits of De Lancey Nicoll, Homer De Witt Brookins, Stephen O'Brien Jr., Frank Gearin, Antonio Cauco, George W. Gillette, Edward V. Thomall, Willis S. Paine, Cephas Brainerd, William A. Kreidler, John Alsdorf (2), Robert T. Middleditch, J. B. Calvert, James Duane Squires, the affidavit of Timothy Davenport together with the nine several certificates thereto annexed, I will, at Part I of the Court of General Sessions of the Peace, on Thursday the 17th day of October, 1889, at eleven o'clock in the forenoon or as soon thereafter as

0660

counsel can be heard, make a motion for a new trial in the
above entitled action, under the provisions of Sections,
465 and 466 of the Code of Criminal Procedure; and for
such other relief as may be just and proper in the premises.
Dated New York, October 15th, 1889.

Yours &c.,

DE LANCEY NICOLL,
Attorney for Defendant,
No. 10 Wall Street,
New York City.

0661

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

-----#
The People of the State of New York, :

against :

H O M E R D E W I T T . :
-----#

CITY AND COUNTY OF NEW YORK, SS:-

D E L A N C E Y N I C O L L , being duly sworn
says: I reside at No. 114 East 27th Street, in the City
and County of New York; I am the attorney for the above
named defendant, having been retained after his conviction
herein. Since the trial of this action, new evidence has
been discovered which in my judgment, if produced and re-
ceived upon such trial, would have changed the verdict to
one of acquittal; the substance of such evidence is set
forth in the several affidavits hereto annexed; I believe
that such evidence was wholly unknown to the defendant at
the time of the trial just had, and that the failure to
produce it upon such trial was not owing to any want of
diligence of the defendant.

Sworn to before me this :
15th day of October, 1889. :

De Lancey Nicoll

John Jay McElwain
Notary Public
No 43 N.Y. Co

0662

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

-----#
The People of the State of New York, :

against :

H O M E R D E W I T T . :
-----#

CITY AND COUNTY OF NEW YORK, SS:}

HOMER DE WITT BROOKINS,

being duly sworn deposes and says:

I am the defendant in this action. I was moved to give the name of Homer De Witt when arrested, to avoid bringing my family and business associates into disgrace. I was arrested on the 19th day of August, 1889. Afterwards I obtained bail, and on the same day I employed Howe & Hummel, to defend me and made a partial statement of my defense to them, at the same time informing them that I must have ample notice of the day of the trial so that I might secure the attendance of witnesses necessary for my defense. They informed me that there was no reason for my doing anything further in the matter until they notified me, and Mr. Hummel allayed my apprehensions by assuring me that not a hair of my head should be harmed.

On Friday, September 27th, I received word to appear in Court at eleven o'clock. On arriving at the Court, I met Mr. Hummel who told me that I had been sum-

0663

moned to plead, but he had had the matter put over until the following Monday, on which day I was simply to appear in Court and plead. I then stated to Mr. Hummel again that it was absolutely necessary for me to have a weeks notice of the trial in order to arrange my business engagements and prepare for my defense. He assured me that I should have abundant notice, and further stated that before the trial came up he would go over the ground of the case with me.

On Monday September 30th, I appeared at Court and pleaded not guilty, Because of the foregoing assurances I remained quiet, relying upon my counsel to notify me whenever it was necessary for me to appear prepare myself for the trial.

Until the very morning of the trial I had no notice from my counsel or from any other source, that my case was set for trial, but on arriving at my office in Temple Court between 10:30 and 11 o'clock in the forenoon of that day, I found a notice from the office of my counsel notifying me to attend at the Court House at eleven o'clock. I immediately started for the Court House and had no time to procure the attendance of Mr. Gillette or any other witnesses. On reaching the Court House, I was met by Mr. Moss, a representative of Howe & Hummel, who after consultation with the District Attorney, reported to me that the case must go to trial immediately. I informed him that it would be impossible for me to proceed with the trial that day, as I had had no notice whatever from Mr. Hummel as promised,

0664

and that I had no time to secure the attendance of necessary witnesses at that late hour, and I understood that my counsel accordingly made an application for a postponement of the trial. Almost immediately after, the case was called and the trial was proceeded with, it being the first case tried that day.

Had I received an earlier notice that the trial was to take place on the 2nd, of October, I could have procured the attendance of necessary witnesses, but relied upon the assurance of my counsel, and for the foregoing reasons took no steps to have my witnesses present.

I beg to refer to the testimony given by me upon the trial of this action. That contains a true account of what occurred between the complainant and myself on the night when he made the charge against me.

And I beg that the Court taking into consideration the proofs submitted upon this application, will grant me a new trial whereon I may establish my innocence.

Sworn to before me this

15th day of October, 1889.

: Homer Leach Brooks

:

S. Victor Constant
Notary Public
myself

0665

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

-----#
The People of the State of New York, #

against

H O M E R D E W I T T .
-----#

CITY AND COUNTY OF NEW YORK, SS:-

STEPHEN O'BRIEN, JR.,

being duly sworn deposes and says:

I am a detective sergeant of Police in the City of New York, and know Charles F. Mortimer, upon whose complaint and testimony the defendant in this action was convicted. On a certain day before the trial of this action I saw the complainant walking through Centre Street with an officer attached to the House of Detention, where he was detained as a witness. I recognized the said Mortimer as a person known to the police by the name of Charles F. Taylor,; I have known the said Taylor alias Mortimer, since the ~~xxxx~~ early part of the year 1886. He is a professional thief and blackmailer; he was arrested by me on June 8th 1886, charged with petty larneny, and on June 15th, 1886, was convicted in the Court of Special Sessions and sentenced to four months in the penitentiary by Judge Kilbreth. Since that date from time to time I have seen the said Taylor, alias Mortimer in the City of New York, and I know of my

0666

own personal knowledge that he is in the business of bringing men to their rooms and blackmailing and robbing them, although he has succeeded in escaping punishment up to this time, on account of the unwillingness of the persons who were his victims to prosecute.

Sworn to before me this :
14th day of October, 1889. :

Stephen O. Smith Jr.

John Jay McKelvey
Notary Public N.Y. Co.
No 43

0667

COURT OF GENERAL SESSIONS OF THE PEACE,

in and for the City and County of New York.

-----#
The People of the State of New York, :

against :

H O M E R D E W I T T . :
-----#

CITY AND COUNTY OF NEW YORK, SS:-

FRANK GEARIN, being duly sworn, says that he resides at No. 410 West 17th Street in the City and County of New York, and is employed by Wilkinson & Co's. detective agency. That on October 5th he received instructions to go to No. 89 Henry Street in the City of New York and in that vicinity for the purpose of finding one Charles F. Mortimer, and on the said 5th day of October and afterwards on the 8th of October he devoted the whole of each of said days in making inquiries at and in vicinity of the said number for the said Mortimer, the details of the said inquiries being as follows: That he inquired of the house-keeper of the house No. 89 Henry Street, who had been such house-keeper for three years previous, and also inquired of every family in the said House, but no one therein knew said Mortimer or anything of or concerning him, or any of that name. That affiant then inquired of every family and in every store on the said

0558

Henry Street commencing ~~at~~ where the said Street commences at Catherine Street up to Pike Street, and No. 189 a distance of about five blocks, making particular inquiries of boarding and furnished room houses. That he also inquired throughout Birmingham Street which is a small street running out of Henry Street opposite No. 89. That no person at any of the said places knew the said Charles F. Mortimer, or had ever heard anything of him, and no one knew any person of that name.

Sworn to before me this

15th day of October, 1889.

: Frank Geary

:

J. Allen Townsend
Notary Public
N. Y. Co.

0669

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

-----#
The People of the State of New York

against

HOMER DE WITT.
-----#

CITY AND COUNTY OF NEW YORK, SS:-

ANTONIO CANCO, being duly sworn states on oath. I am over twenty-two years of age and reside at No. 47 Mulberry Street. I am employed as call boy at Smith & McNell's Hotel, No. 199 Washington Street, New York City. I was working there on the 19th and 20th of August. I went on duty at twelve o'clock at night and went off at 8 o'clock in the morning. I remember one night in August, about the 20th when two young men came to the hotel and took a room, room No. 431. Just as I came on duty at twelve o'clock that morning the clerk called me to the desk and told me to show them up to the room number 431, and I did so; that was the first thing I did after I came on duty that morning, if not the very first about the first, probably I took some papers off the files as I usually do, but it was not over two or three minutes past twelve o'clock when I was called to show these young men up to room number 431, and when I did show them up. In about fifteen minutes I looked at the clock as I

0670

passed it and it was a quarter past twelve. I went upstairs with a man who was going to another room on the same floor three or four rooms past No. 431 on the same side of the hall. As I passed along with him I heard loud talking between these two young men in their room, like as if they were quarreling. There was no noise except that what they made by talking; and the talking sounded as if they were right against the door. I went on with this man to his room, and when I came back passed 431 they were still talking loudly, so I went up to the door and said "Gentlemen dont speak so loud you will waken some one else up. If you dont speak low you will have to walk out," and before I had finished saying it, some one grabbed the door knob and they both came out quickly and went on down the hall; they were both fully dressed the same as when they went into the room. One of them said as they came out--I dont know which one---"You son of a bitch you have insulted me and I will have you arrested." They went on down to the office and walked right out the door; neither of them stopped at the clerk's ~~office~~ desk. They were talking together all the time they were going down pretty loud and as if they were mad, but I could not understand what either of them said.

The hotel has double rooms--that is, rooms with two beds in--but the house was pretty full this night. This room No. 431 was one with a single bed in it, a washstand, bureau and one chair, and very little space left in the room after the furniture was put in it.

0671

There is no bell in this room, no bell knob, or bell pull of any kind. There are no bells in the house connecting the rooms with the office. There is nothing in the room that looks like a bell knob, a bell pull or anything of that kind. The only knobs in the room are on the door, one for the handle, and one just about the handle either above or below which bolts the door.

Sometime after this I was a witness at the Court of General Sessions where I saw these two young men and where one of them was being tried for something. I recognized them when I saw them as the two men who had occupied room 431 on this night I have told about, and who left the room when I spoke to them.

When I spoke to them about their being talking too loud, they must have been right against the door or else they could not have opened it as quickly as they did. It was opened just as soon as I began to speak.

Sworn to before me this
8th day of October, 1889.

:
:
:

Antonio Causo

John Jay McKelvey
Notary Public
2043 W 4th St

0672

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

-----#
: The People of the State of New York :
: against :
: HOMER DE WITT, :
-----#

City and County of New York, Ss:-

GEORGE W. GILLETTE,

being duly sworn deposes and says:

I reside at College Point, Long Island, and am engaged at the Manhattan Hotel, corner of Sixth Avenue and 28th Street in the City of New York, in the capacity of hotel clerk. I have known Homer De Witt the defendant in this action for one year and a half or two years. On the night of the 19th day of August, 1889, between six and seven o'clock the defendant called on me at the Manhattan Hotel, and remained there and took his dinner. After dinner we walked over to the Coleman House and returning took the elevated train at 28th Street and Sixth Avenue for Grand Street where I expected to meet a friend. Not meeting him we returned up town getting off of the elevated at Sixth Avenue and 23rd Street. We then went to Koster & Bial's where we entered at nearly nine o'clock. We remained there, drinking beer and smoking cigars and looking at the performance until after eleven o'clock. A little after eleven o'clock the defendant left me saying

0673

he would return in half an hour asking me to wait for him. I told him that unless he found me at Koster & Bials, on his return to meet me at the Hotel. I did not see him again that night, nor do I know what became of him after he left Koster & Bials. There was no one with him when he left me. The reason I know it was a few minutes after eleven o'clock when the defendant left Koster & Bials, is because upon his saying that he was going out, I took my watch from my pocket and looked at it and noticed that it was about eleven o'clock, and the defendant stayed with me five or ten minutes after that.

Sworn to before me this :

5th day of October, 1889. :

Geo. H. Gillette

John Jay McKelvey
Notary Public
No 43 Myce

0674

Court of General Sessions of the Peace
The People of the State of New York
against
Homer De Witt

City and County of New York fo.

Edward V. Thomall being
duly sworn deposes and says that
he resides at 1133 Lexington Avenue
New York City and is a member of
the New York Bar and of the firm of
Thomall, Squires & Constant of 120 Broadway,
New York

That he knows the defendant in
this action and has known him for
about ten years and that during
several years of said period deponent
and defendant were employed by the
same firm, that he knows his general
character and reputation in this com-
munity and knows it to be excellent
To his knowledge he is esteemed as a
young man of good principles and
correct life. The deponent would
gladly have attended Court on defendant's
trial and given evidence of good
character on his behalf but he knew

0675

nothing of the trial. In the event of a new trial he will gladly bear testimony to the high character of the defendant.

Deponent further states that the full of the defendant is Homer De Witt Brooks but the deponent is informed that he gave the name of Homer De Witt when arrested in order to avoid the bringing of his family and business associates into disgrace.

Sworn to before me this } C. V. Thornall
10th day of October 1889 }

J. Victor Constant
Notary Public
N.Y.C.

0576

COURT OF GENERAL SESSIONS OF THE PEACE.

The People of the State of New York,

against

HOMER DE WITT.

CITY AND COUNTY OF NEW YORK, SS:-

William S. Borne being duly sworn deposes and says: That he resides at *40 Thirteenth St. New York*, and his occupation is *that of a lawyer*. That he knows Homer De Witt, the defendant in this action

that he knows his general character and reputation in this community, *for about twenty years*, and knows it to be excellent. To his knowledge he is esteemed by all who know him as a young man of good principles and correct life. At the time of the trial of this action the deponent would gladly have attended Court and given evidence of good character on his behalf, but he was not subpoenaed, notified or requested to attend and knew nothing of the trial thereof. In the event of a new trial he will gladly bear testimony to the high character of the defendant.

This deponent further states that the full name of the defendant is Homer De Witt Brookins, but the deponent

0677

understands that he gave the name of Homer De Witt when
arrested, in order to avoid the bringing of his family and
business associates into disgrace.

Sworn to before me this
10th day of October, 1889.

: Helen D. Cairne
:

J. L. Graham
Notary Public
N.Y.C.

COURT OF GENERAL SESSIONS OF THE PEACE.

The People of the State of New York,
 against

H o m e r D e W i t t .

City and County of New York, ss:-

C e p h a s B r a i n e r d , being duly sworn
deposes and says; that he resides at 133 East 18th street
in said City, and is a member of the New York Bar.

That he knows the defendant in this action, and has known him since 1880, and has had frequent occasions for seeing him during that period; that he knows ^{as he really believes} his general character and reputation in this community, and knows it to be excellent; he never heard an intimation at any time against it. To his knowledge, he is esteemed as a young man of good principles and correct life. The deponent would gladly have attended Court on defendant's trial, and given evidence of good character on his behalf, but he was at that time ill in another state, and knew nothing of the trial, or of the charge against him. In the event of a new trial, he will gladly bear testimony to the character of the defendant in accordance with what he has now said.

Deponent further states that the full name of the defendant is Homer DeWitt Brookins, but the deponent is informed that he gave the name of Homer De Witt when ar-

0679

rested, and in order to avoid the bringing of his family
and business associates into disgrace.

Sworn to before me this)
9th day of October, 1889.)

S. Victor Constant
Notary Public
N.Y.C.

Cephas Brainerd

0680

COURT OF GENERAL SESSIONS OF THE PEACE.

The people of the State of New York

against

Homer De Witt.

CITY AND COUNTY OF NEW YORK, SS:-

William A. Kreidler,
being duly sworn deposes and says: I reside in the
City of Chicago. I am the Editor and Publisher of
the newspaper known as the Western Electrician and
have a branch office in Temple Court, New York City.
I know the defendant in this action, and have known
him from early boyhood. In fact we were brought up
as boys together. I have known his character since
boyhood and up to the present time, and I know it
to be excellent in every respect. He is a man of
good principles and habits, and to my knowledge has
never committed any offence against the law. He is
esteemed by those who have known him or come in
contact with him either in a business or social way.
Had I had any knowledge of the trial in this action,
I would gladly have come to Court and testified to
his good character, and will do so in the event of
a new trial.

Sworn to before me this

10th day of October, 1889.

W. A. Kreidler

Barton Bee Ramage
Notary Public (S.B.)
N.Y. Co.

0681

Francis M. Gillett, Pres.
Moses Eliot, Vice Pres.
Frederick D. Dudley, Treas.

Gilbert L. Bachman, Secy.
John A. Lister, M.D., Medical Director.
Carlton B. Smith, Genl. Manager.

The Guarantee Medical Attendance Association

41 Union Square,
(BROADWAY AND 17TH STREET.)

New York, October 10th 1889

This is to certify that Homer
De Witt Brookins, in whose favor I
have made affidavit as to character &c,
was for several years an inmate of
my house and a member of my
family. That I have never seen or
heard of any thing that could be
brought against his personal or private
character and reputation.

Subscribed & sworn to } John Alden
before me this 10th day of }
October 1889.
Frank Blackhurst
Commissioner of Deeds.
N.Y.C.

0682

COURT OF GENERAL SESSIONS OF THE PEACE.

-----#
The People of the State of New York.
:

against
:

HOMER DE WITT,
:
-----#

CITY AND COUNTY OF NEW YORK, SS:-

John Alsdorf being duly
sworn deposes and says: That he resides at *346 West*
48th St. New York City, and his occupation is *a Physician*

. That he knows Homer De Witt, the defendant in
this action; that he knows his general character and reputa-
tion in this community, and knows it to be excellent.
To his knowledge he is esteemed by all who know him, as a
young man of good principles and correct life. At the
time of the trial of this action the deponent would gladly
have attended Court and given evidence of good character on
his behalf, but he was not subpoenaed, notified or requested
to attend and knew nothing of the trial thereof. In the
event of a new trial he will gladly bear testimony to the
high character of the defendant.

This deponent further states that the full name of
the defendant is Homer De Witt Brookins, but the deponent

0683

understands that he gave the name of Homer De Witt when
arrested, in order to avoid the bringing of his family and
business associates into disgrace.

Sworn to before me this 10th :
— day of October, 1889. :

John Alsdorf

Frank Blackhurst
Commissioner of Deeds.
N/C

0584

COURT OF GENERAL SESSIONS OF THE PEACE.

-----#
The People of the State of New York, :

against :

HOMER DE WITT. :
-----#

CITY AND COUNTY OF NEW YORK, SS:-

Robert T. Middleditch being duly
sworn deposes and says: That he resides at *No 24*
Spencer Place Brooklyn and his occupation is *clerk*
and editor of
That he knows Homer De Witt, the defendant in this action;
that he knows his general character and reputation in this
community, and knows it to be excellent. To his knowledge
he is esteemed by all who know him, as a young man of good
principles and correct life. At the time of the trial of
this action the deponent would have gladly attended Court
and given evidence of good character on his behalf, but he
was not subpoenaed, notified or requested to attend and
knew nothing of the trial thereof. In the event of a new
trial he will gladly bear testimony to the high character
of the defendant.

This deponent further states that the full name of
the defendant is Homer De Witt Brookins, but the deponent

0685

understands that he gave the name of Homer De Wiit when
arrested, in order to avoid the bringing of his family and
business associates into disgrace.

Sworn to before me this : Robert T. Muddledate
9th day of October, 1889. :

Bartow Bee Ramage
Notary Public (83)
N.Y. Co.

0686

COURT OF GENERAL SESSIONS OF THE PEACE.

The People of the State of New York,

against

HOMER DE WITT.

CITY AND COUNTY OF NEW YORK, SS:-

J. B. Calver being duly sworn deposes and says: That he resides at *15 East 54th Street, New York City*, and his occupation is *Editor*

That he knows Homer De Witt, the defendant in this action that he knows his general character and reputation in this community, and knows it to be excellent. To his knowledge he is esteemed by all who know him, as a young man of good principles and correct life. At the time of the trial of this action the deponent would gladly have attended Court and given evidence of good character on his behalf, but he was not subpoenaed, notified or requested to attend and knew nothing of the trial thereof. In the event of a new trial he will gladly bear testimony to the high character of the defendant.

This deponent further states that the full name of the defendant is Homer De Witt Brookins, but the deponent

0587

understands that he gave the name of Homer De Witt when
arrested, in order to avoid the bringing of his family and
business associates into disgrace.

Sworn to before me this : J. B. Calvert.
10th day of October, 1889. :

Arthur M. Sanders

NOTARY PUBLIC,
KINGS CO. CERTIFICATE FILED IN N.Y.CO.

0688

COURT OF GENERAL SESSIONS OF THE PEACE.

The People of the State of New York,

The People of the State of New York,

against

H o m e r D e W i t t .

_____X

City and County of New York, ss:

James Duane Squires being duly sworn deposes and says; that he resides at 57 East 76th street in said City, and is a member of the New York Bar, and of the firm of Thornall, Squires & Constant, of 120 Broadway, New York.

That he knows the defendant in this action, and has known him for about ten years, and that during several years of said period defendant was employed by the firm of which deponent was a member; that he knows his general character and reputation in this community, and knows it to be excellent; To his knowledge, he is esteemed as a young man of good principles and correct life. The deponent would gladly have attended Court on defendant's trial, and given evidence of good character on his behalf, but he knew nothing of the trial. In the event of a new trial, he will gladly bear testimony to the high character of the defendant.

Deponent further states that the full name of the defendant is Homer DeWitt Brookins, but the deponent is informed that he gave the name of Homer DeWitt when arrested.

0689

in order to avoid the bringing of his family and business
associates into disgrace.

Sworn to before me this)
9th day of October, 1889.)

James Duane Squires

E. Victor Constant
Notary Public
N.Y.C.

0690

YALE COLLEGE,

New Haven, Connecticut,

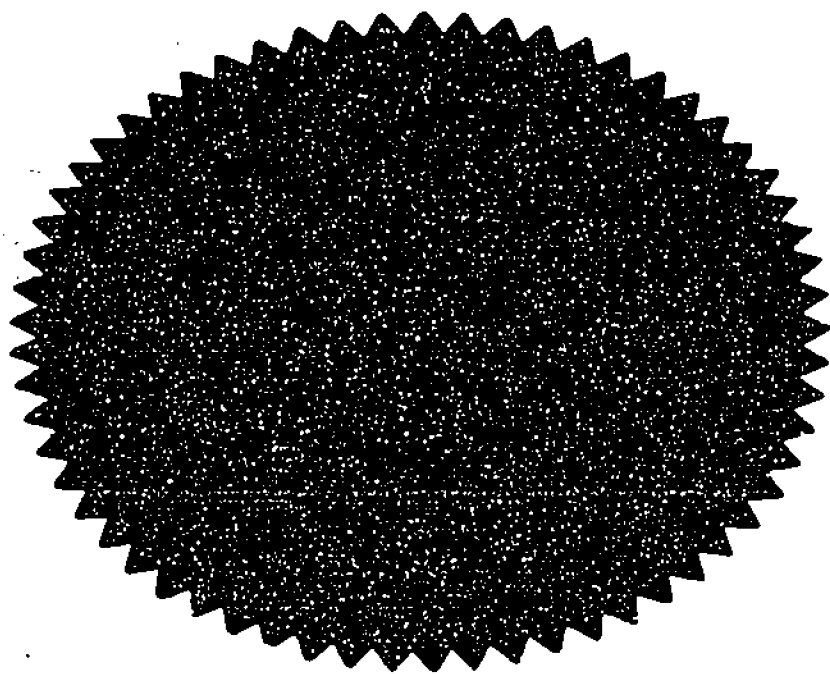
Oct. 9, 1889

This may certify that no
person named Mortimer has
been connected with Yale College
during the past fifteen years.

Attest,

Franklin B. Dyer,

Secretary of
Yale College



0691

YALE UNIVERSITY.

DIRECTOR'S OFFICE,
No. 3, SHEFFIELD HALL,

SHEFFIELD SCIENTIFIC SCHOOL,
New Haven, Connecticut, *October 9. 1889*

*This certifies that I have examined
the records of the Sheffield Scientific
School and cannot find anyone
named Mortimer enrolled
as a student here during the
past two years.*

*Geo. J. Brush
Director of the Sheffield Scientific
School.*

0692

YALE UNIVERSITY,
DEPARTMENT OF MEDICINE.

New Haven, Conn.

This certifies that no student by
the name of Mortimer has been
connected with this Department
since my connection with it,
beginning in May 1882.

Herbert E. Smith

Dean Medical Department

Oct. 9. 1889.

0693

YALE SCHOOL OF THE FINE ARTS.

New Haven, Oct 9th 1899

This is to certify that
no person by the
name of Mortimer
has ever been a
student in the
Yale Art-School.

Jos F. Win.
Director

0694

Prof. FRANCIS WAYLAND,
Dean of Faculty.

YALE LAW SCHOOL.

New Haven, Conn.

Oct- 8

1889.

This certifies that
the records of this
department show that
no person by the name
of Mortimer ever grad-
uated from or was
connected with it.

John A. Robison
Librarian

0695

E. F. HILL,
Janitor of
Theological Seminary,
New Haven, Conn.

EAST DIVINITY, ROOM E, Oct. 9th 1889

I have been connected with the
Yale Divinity School as janitor
or assistant janitor for the
last eight years and have
never known any person
by the name of Mortimer
to have been connected with
the school during those
years or at the present time
and if there had been any
one by that name connected
there with I should have
known it

E. F. Hill

0696



New Haven Conn Oct 9th 1880

This is to certify that no such name
as Mortimer appears upon the College
Register from 1878 to date, and to
the best of my knowledge no such
person has ever attended this institution

R.C. Loveridge Pres
Yale Business College

0697

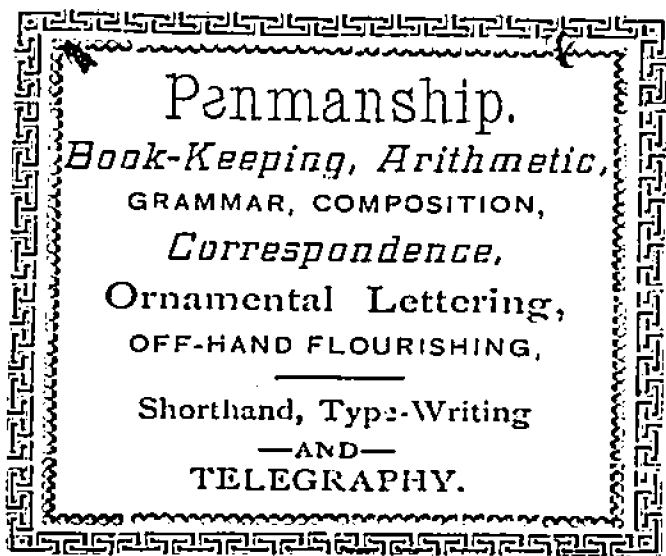


NEW HAVEN, CONN., Oct. 9 1889

This is to certify that
no person by the
name of Mortimer
has attended this
school for the past
two years.

G. D. Cargill, Pres.

0698



New Haven, Conn., Oct. 8 1889,
Mo

To J. M. Lee, Dr.
The Hogarth Academy,
The Socratic Method of Instruction Employed.

No pupil by the name of Mortimer has
ever been a member of my school,
J. M. Lee

0699

Court of General Sessions

Part 3

The People of the State of
New York

against

Homer De Witt

City and County of New York ss.

Timothy Davenport being duly sworn says, that he resides in the City of New York and is a graduate of Yale College, and of the Yale Law School located at New Haven Connecticut, that he went to said City on the ninth instant, and obtained the certificates which are hereto annexed from the respective persons whose names are thereto subscribed; that said certificates are respectively in the handwriting of the individuals so signing the same, and that he knew them to be such persons from knowledge derived from his some six years attendance at said institution and familiarity with the several departments, and from said certificates being executed at the said Schools or departments respectively and ^{from the fact that they} were pointed out to deponent by the attendants as such persons.

Sworn to before me this

10th day of October 1889.

Joseph M. Marshall
Notary Public
N. Y. Co.

Timothy Davenport

0700

Emma Harrison

People of the State
of New York

James Smith

Affidavits and Notice
of motion for a
neutral room

De Lancey Nicoll,

Attorney for Defendant
10 WALL ST., NEW YORK.

Walter M. Mallet

To Walter M. Mallet
Due service of a copy of the within paper is hereby admitted.

Wm. H. H. H. H. H.
1889

James M. Mallet
Chief Clerk

0701

S. G. COOK, M. D.,

No. 111 WEST 12th STREET,

(Two doors W. of 6th Ave.)

OFFICE HOURS:

From 11 to 1.

" 6½ to 7¾ P. M.

New York, Oct 2nd 1889

To Whom It May Concern.

This is to certify
that George E. Lang, Path
2nd Precinct, is on the
Sick List by reason of
Bronchitis, and that it
would probably not do him
any injury to go to Court
and give his evidence,
provided it was a pleasant
day and that he was not
kept too late in the evening

Very Respectfully
S. G. Cook M.D.

Surgeon 2nd Precinct.

0702

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 1 DISTRICT.

of No. 2d Precinct, 2nd Street, aged years,
occupation Police Officer being duly sworn deposes and says
that on the 19th day of August 1889

at the City of New York, in the County of New York, He arrested
James Newitt (now Lee) on
the complaint of Charles F. Mortimer
charging him with second degree
Robbery further says that he has
good reason to believe that the said
complainant will not appear at
the Court of Special Sessions
to testify against said Newitt
and therefore also he may be com-
mitted to the house of detention
George E. Lang

Sworn to before me, this

of August 1889

20th day

Police Justice.

0703

Police Court— District

CITY AND COUNTY }
OF NEW YORK, } ss.

of No. *89 Henry* Street, aged *20* years,
occupation *Boat tender* being duly sworn, deposes and says, that
on the *19* day of *August* 188*9* at the City of New York,
in the County of New York,

Indo cently
he was violently ASSAULTED and BEATEN by *Samuel De Witt (now Lee)*
for the reason deponent went with defendant
to his defendant's room and undressed himself
and went to bed and while in said bed defendant
took hold of deponent's penis and placed
the same in his mouth
without any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be apprehended and bound to
answer the above assault, &c., and be dealt with according to law.

Sworn to before me, this *20th*
day of *August* 188*9* *Charles F. Mortimer*
De Witt Police Justice.

0705

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *James D. E. Witt*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *Morris town N. J. 1 year.*

Question. What is your business or profession?

Answer. *Editor*

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

Answer. *I am not guilty*
James D. E. Witt.

Taken before me this

day of *August* 188*8*

Police Justice

John J. Smith

0706

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 20* 188*9* *Sam J. O'Reilly* Police Justice.

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

Dated *Aug 21* 188*9* *Sam J. O'Reilly* 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.

0707

Bond renewed Oct. 18/89

BAILED,
No. 1, by Mr. Campbell
Residence 355 West 57th Street.

No. 2, by Cassius M. Ackley
Residence Hamville, Steuben Co.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

1419 #15
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles F. Martin
vs. James D. [illegible]

2 _____
3 _____
4 _____

Dated August 20 1889
C. Reilly Magistrate.

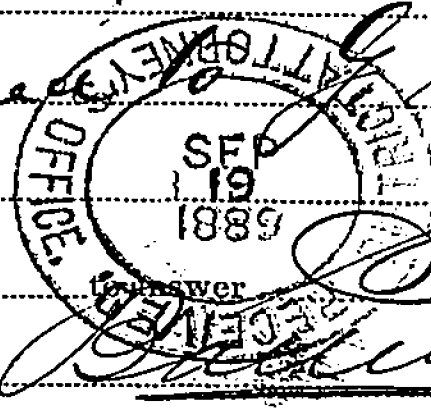
Tang Officer.
2d Precinct.

Witnesses Complainant in
House of Detention Street.

No. Aug 30 Street.

Transferred to Street.

No. _____ Street.
\$ 5.00



COMMITTED.

0708

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Walter De Witt

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

Indictment accuse

Walter De Witt

of the crime of

against nature,

committed as follows:

The said

Walter De Witt,

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

nineteenth day of *August*, in the year of our Lord one thousand
eight hundred and eighty- *nine*, at the City and County aforesaid,

in and upon one Charles E. Mortimer,
a male person, feloniously made an
assault, and upon the said Charles E.
Mortimer, in a manner contrary to
nature, then and there feloniously did
carnally know, 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.

0709

Second COUNT.

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

Homer De Witt
of the CRIME of against nature,

committed as follows:

The said Homer De Witt

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid,
at the City and County aforesaid, deliberately and voluntarily
submitted to carnal knowledge of himself
by one Charles S. Mathews, a male
person, in a manner contrary to nature,
against the form of the Statute in
such case made and provided, and
against the peace and dignity of the
said People.

John R. Kellogg,

District Attorney.

0710

BOX:

364

FOLDER:

3424

DESCRIPTION:

Diesel, John

DATE:

09/16/89



3424

0711

BOX:

364

FOLDER:

3424

DESCRIPTION:

Taylor, Frank

DATE:

09/16/89



3424

0712

BOX:

364

FOLDER:

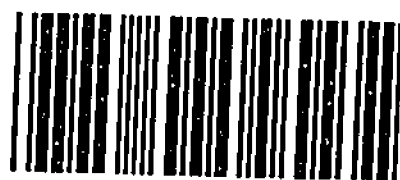
3424

DESCRIPTION:

O'Neil, James

DATE:

09/16/89



3424

Witnesses:

Charles Boners

Charles Martin

See Become clu

by name up

James Kelly

June 17th 94

18

Randy

Counsel,

Filed

Pleads

Not guilty

16/ Sept. 1889

THE PEOPLE

John Dred

Frank Taylor and

James O'Neil

John Dred

John Dred

John Dred

JOHN R. FELLOWS,

District Attorney.

Sept 18/89

Sept 18/89

Sept 18/89

Sept 18/89

Sept 18/89

Sept 18/89

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Sept 18/89

Sept 18/89

Sept 18/89

0714

Police Court 1st District.

Affidavit—Larceny.

City and County } ss.:
of New York,of ~~Bay~~ ^{Stuyvesant} ~~side~~ L.I.occupation LaborerCharles BowersStreet, aged 19 years,

being duly sworn

deposes and says, that on the 7th day of September 1889 at the City of New

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

person of deponent, in the day time, the following property, viz:

Good and lawful money of the United States
of the value of Twenty one dollars and
eighty three cents. Two watches valued
Eleven dollars; one pen knife valued
Twenty five cents

All of the value of Thirty three
dollars and five cents.

the property of deponent

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

John Diesel, Frank Taylor
and James O'Neil (all now here) who
were in company with each other and
acting in concert for the reasons that
at about the hour of five o'clock in
the morning of said day deponent entered
the Battery Park and went to sleep
on a bench. Deponent had said property
in various pockets of the pantaloons and
vest then worn on his person and part
of his bodily clothing. Deponent is informed
by Charles Martini (now here) that he
Martini was sitting on a bench in said
Park and saw deponent enter the Park
and go to sleep on said bench. That

of
Summe to before me this

1889

Police Justice

0715

the defendants were in company with each other and had followed deponent into said Park. That when deponent went to sleep the defendant Taylor sat next to deponent on the right side and placed his hand upon deponent's chest. The said Diesel sat on the left side and shook deponent to see if deponent was asleep. Then said Diesel inserted his hand into the various pockets of deponent's clothing and out of the left side pocket of the pantaloons. The defendant Taylor also inserted his hand into deponent's pockets. That during these operations the said defendant O'Neil came to the bench opposite, where deponent was sitting ~~away~~ and on the same bench with said Diesel and Martin and made motions to said Diesel and Taylor meaning for them to come away. When deponent was awakened he immediately missed said property. Deponent is informed by Hugh Dumphy, Park Police Officer, that he Dumphy found the watches here shown upon the person of said Diesel which watches deponent identifies as his property.

Sworn to before
me this 7th September 1889 } Chas Bowers

W. H. G. J.
Justice

0716

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles Martin
aged *21* years, occupation *Boatman* of No.

No permanent home Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Charles Bowers*

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

Sworn to before me, this

day of *September* 188*9*

Charles Martin

E. H. [Signature]
Police Justice.

0717

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

James O'Neil 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 *him*; that the statement is designed to
enable *him* if he see fit to answer the charge and explain the facts alleged against *him*
that he is at liberty to waive making a statement, and that *his* waiver cannot be used
against *him* on the trial.

Question. What is your name?

Answer. *James O'Neil*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *111 Allen Street. 2 weeks*

Question. What is your business or profession?

Answer. *Waiter*

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

Answer. *I am not guilty*

James O'Neil

Taken before me this *7*
day of *September* 188*7*

Police Justice.

[Signature]

0718

Sec. 108—200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Frank Taylor 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.

Frank Taylor

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

Maryland

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

Answer.

28 Greenwich St. 6 years

Question. What is your business or profession?

Answer.

Fireman on Steamboat

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 Taylor

Taken before me this
day of *September* 188*9*

Police Justice.

0719

Sec. 193—200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

John Diesel 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. *John Diesel*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *Mechanics House, North Street. 3 weeks*

Question. What is your business or profession?

Answer. *Jockey*

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

Answer. *I am not guilty*

John Diesel.

Taken before me this

7

day of *September* 188

9

Police Justice.

John Diesel

0720

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 they be held to answer the same and they be admitted to bail in the sum of 100 Hundred Dollars, Each and be committed to the Warden and Keeper of the City Prison, of the City of New York, until they give such bail.

Dated September 7 188 9 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.

0721

Police Court--*1st* District. *B60*

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Bowers

vs.

1 *James O'Neill*

2 *Frank Taylor*

3 *John Diesel*

4

*Offence Larceny from
the person*

Dated *September 7* 1889

Hogan Magistrate.

Dunphy Officer.

Park Police

Witnesses *Charles Martin*

No. *and Charles Brown* Street.

and Harry J. Venturi

and James J. "100. Park

No. *and* Street.

No. *and* Street.

No. *and* Street.

No. *and* Street.

No. *and* Street.

No. *and* Street.

No. *and* Street.

No. *and* Street.

No. *and* Street.

No. *and* Street.

No. *and* Street.

No. *and* Street.

No. *and* Street.

No. *and* Street.

No. *and* Street.

No. *and* Street.

No. *and* Street.

No. *and* Street.

No. *and* Street.

No. *and* Street.

No. *and* Street.

No. *and* Street.

BAILED,

No. 1, by *W. H. H.*

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

No. 5, by _____

Residence _____ Street.

No. 6, by _____

Residence _____ Street.

No. 7, by _____

Residence _____ Street.

No. 8, by _____

Residence _____ Street.

No. 9, by _____

Residence _____ Street.

No. 10, by _____

Residence _____ Street.

No. 11, by _____

Residence _____ Street.

No. 12, by _____

Residence _____ Street.

No. 13, by _____

Residence _____ Street.

No. 14, by _____

Residence _____ Street.

No. 15, by _____

Residence _____ Street.

No. 16, by _____

Residence _____ Street.

No. 17, by _____

Residence _____ Street.

0722

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 1 DISTRICT.

Hugh Murphy

of No. *Park Police* Street, aged _____ years,
occupation *Police Officers* being duly sworn deposes and says,

~~that on the~~ day of _____ 1889

at the City of New York, in the County of New York, *that Charles Bowers*
and Charles Martin are necessary and
material witnesses in the case of Bowers
vs. O'Neil et al. charged with Larceny from
the person; and deponent verily believes that
said Charles Bowers and Charles Martin
will not appear to testify at the trial and
prays that they be put under bonds for
their appearance.

Hugh Murphy

Sworn to before me, this
of September

1889

day

Police Justice.

0723

Police Court, / District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles Bower

vs.

James O'Grice

Frank Taylor

John Diesel

AFFIDAVIT.

Dated

September 7 1889

Hofman Magistrate.

by

Dunphy Officer.

Witness,

Charles Martin

H. of Detention

Disposition,

0724

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

THE PEOPLE OF THE STATE OF NEW YORK,

against
John Diesel, Frank
Taylor and James O'Neil

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by

this indictment, accuse

John Diesel,
Frank Taylor and James O'Neil
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE,

committed as follows:

The said

John Diesel, Frank
Taylor and James O'Neil, all
late of the City of New York, in the County of New York aforesaid, on the
day of *September* in the year of our Lord one thousand eight hundred and
eighty-*nine*, at the City and County aforesaid, with force and arms, in the
day time of the same day, divers promissory notes for the payment of money, being
then and there due and unsatisfied (and of the kind known as United States Treasury
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the
payment of and of the value of *twenty - one*

dollars; divers other promissory notes for the payment of money, being then and there due
and unsatisfied (and of the kind known as Bank Notes), of a number and denomination
to the Grand Jury aforesaid unknown, for the payment of and of the value of
twenty - one

dollars; divers United States Silver Certificates of a number and denomination to the Grand
Jury aforesaid unknown, of the value of *twenty - one*

dollars; divers United States Gold Certificates of a number and denomination to the
Grand Jury aforesaid unknown, of the value of *twenty - one*

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid
unknown, of the value of *one dollar and eighty-three cents,*

two watches of the value of six
dollars each, and one knife of the value
of twenty-five cents

of the goods, chattels and personal property of one *Charles Bowers,* on the
person of the said Charles Bowers then and there being found,
from the person of the said Charles Bowers
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.*

0725

BOX:

364

FOLDER:

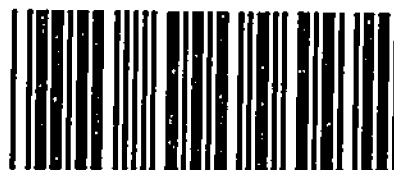
3424

DESCRIPTION:

Dobbins, James

DATE:

09/09/89



3424

Witnesses:

William McKeenan
Officer Michael
J. P. Preet

Counsel,

Filed

Pleads,

day of Sept 1889

City of Chicago

THE PEOPLE

vs.

James Dolan

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Chas. B. DeLoach

Foreman.

Sept 11/89
Of course Henry 3 day.
Pen; one year.

0726

0727

The People
vs.
John Doe.

Court of General Sessions, Part I.
Before Judge Gildersleeve.

Wednesday, October 2, 1889.

Indictment for grand larceny in the second degree.

William Johnson sworn and examined, testified:

I live at Mott Avenue and 165th Street and am a coachman for Miss Roe at that place, I was there on the 4th of September, I saw this defendant there, I saw him come in my place and saw him go into my barn; it was ten minutes to twelve in the morning; when I first saw him he was coming by the front door of the house, I was going in the house to wash myself and I saw this man go up to the front door and when he went up to the front door the girl sent him away; he was going down by the stoop and I was going inside. Something struck me that that man was going to the barn, I turned right around and came out and as I was coming out I saw him coming out of my barn. I had my clothes in the barn and had money in my vest pocket, the vest was hanging up on a hook on the harness; it was on the first floor and about twelve feet from the door, I put it there about nine o'clock and the money was in my vest pocket; it was ten minutes of twelve when I saw him the barn was locked all the morning from nine until that time. When I saw him come out of my barn door I went right back to the barn and put my hand in my pocket and the money was gone and he was gone; as soon as he saw me he ran down the avenue, I caught him and brought him back to the corner, I found an officer and gave him incharge to the officer; he was searched but no money was found on him. In the evening I saw money in the officer's hand in Mr. Week's grass plot, I was not there when it was found.

0728

My money consisted of three tens, three fives, a two dollar bill and two single dollars; the money that the officer had was two ten dollar bills and a five dollar bill. Mr. Week's grass plot is a little over a block away from our house, I caught the Defendant right opposite the place where the money was found over the fence, I caught him on the sidewalk opposite Mr. Week's. The Defendant did not say anything but he jumped around and tried to get away from me but I held him, he ran probably about half a block. I told the Sergeant there was a five dollar bill, that it called for five silver dollars and the five dollar bill that was with the two ten dollar bills that the officer had called for five silver dollars. When I went back to the barn door it was on a half jar, the same as I left it going in the house.

Cross Examined

When I took my vest off my money was in the vest pocket and that was at nine o'clock, I hung it up about half past seven in the morning, I was on the sidewalk fronting the house where I work and the barn is about twenty-five feet from the house, I did not take it out of my pocket, the money was rolled up in a lump, I was on the sidewalk the time I put the money in the pocket in front of my own house, after I put the money in the pocket I swept the sidewalk off; previous to doing so it being kind of warm, I went in and took my vest off and put my jumper on and hung the vest on the hook. I spent two hours in cleaning the sidewalk and cutting the grass and trimming the borders. The barn door was locked, the barn stands back of the house, I did not have a full view of the barn all the time; nobody could go in the barn for I had the key. For

0729

all I know anybody could go in the barn without my seeing them but I can swear the barn was locked. Can you swear of your own knowledge that no person went in the barn door from nine o'clock till twelve? No other person. Did not I ask you the question could not another person have gone into the barn during the time without your seeing them? You asked me that question and I said no, because I had the keys and the barn was locked. I saw the Defendant on the sidewalk but not all the time, the first time I saw him he was going up to the front door of the house, he was sent away by the girl and I was going in the house. Did you hear the girl send him away? Yes, he went right away and went down into the barn and something struck me that he had gone into the barn and took my vest, I turned back and saw him coming out of my barn door. Did you find him in the yard? I found him stepping out of the barn door, coming right out of the door. He was outside when you first saw him? No sir, in the door coming out.

Lemil Straiths sworn and examined.

I live at 906 Courtland Avenue and my business is a coachman for Mrs. Weeks, I know where Miss Roe's place is, it is about a block from Mrs. Weeks. I saw this Defendant on the 4th of September about twelve o'clock it was a little before twelve. What was he doing when you first saw him? He was peddling and selling me a watch chain, I wanted to buy a watch chain, I bought it and gave him twenty cents for it. Where was he at that time? He was in Mrs. Weeks's yard; I talked with him in English, he told me about the chain, how much it was and after he got through he asked me for a couple of pears and I gave

0730

them to him. I did not see him after that until about five o'clock, he was standing in the street, I was going to the depot to meet Mr. Weeks, he was going up the Avenue with a basket about half past five, I did not say anything to him, I saw him after that in the Station House and he did not have anything to say. I found the money about a quarter past five, I was looking for it, William Johnson when he came back from dinner told me about the loss of this money and said if I found it he would give me half of it, I went to look for it, cutting the grass, I went to rake the walk and I came across this money a little ways from the tree, I gave it to the officer, it was in a wad, I did not see Mr. Johnson catch the Defendant, I did not say anything to the Defendant about the money, he was about three or four yards from the gate of Mr. Weeks's and where I found the money.

Cross Examined. The Defendant was not arrested when I saw him the second time in the afternoon, I first saw him about twelve in the morning, I commenced to look for the money about two or three o'clock, I don't remember the exact time when Johnson told me that he lost the money, he said he came right from the Harlem Court, I was not there with him and do not know what he was doing at Court, I did not see Johnson about twelve o'clock that day, I am working there still, Johnson did not tell me how much money he lost but said he would give me half of it if I found it, it was about a quarter of five when I found the money, I was looking for it half an hour, I was raking the grass at the same time, I was not walking up and down three hours looking for the money.

0731

Henry Fenker sworn and examined.

I am an officer of the 33rd precinct and on the 4th of September 1889 I arrested the Defendant sometime after half past five in the evening. Is that the first arrest that day? No, he was brought in about a quarter to one o'clock by Officer Donohue, I understood he was taken to the Harlem Court and discharged for want of evidence. How did you come to arrest him? I met the complainant at four o'clock and he told me of this charge, I was on post and went to the upper end of my post which is 165th Street and Mott Avenue and I found the Defendant there, this was about a quarter past five o'clock, he was standing with a family named Foley. I know where Mr. Weeks's place is, I did not see the money found but the place where it was found was shown me, it was about fifteen or twenty feet from the sidewalk. The Defendant passed in front of Weeks's gate about a quarter of an hour before I arrested him, he was standing at Foley's, in the first place he wanted a direction to go down town and I directed him, when he was talking with Mrs. Foley he showed me a direction, he showed me a piece of paper, I believe it was Washington Street down town, I pointed the way for him to go and I watched him and then half an hour after he came back in the same place in front of Mr. Weeks's gate, he passed Mr. Weeks's gate and went as far as Miss Roe's and came back again and stood looking in the grass between Weeks's and the next place to it, he was on the sidewalk looking down in the grass as if he was looking for something, this was about a hundred feet from the place where the money was found; when he saw me he came up to me and brought out the direction again

0732

and showed it to me. I commenced looking in the grass thinking he threw the money in the grass, he went out into the street and picked up a pair of cuff buttons and put it in his pocket and commenced to leave. In the meantime and a five Straiths came to me and gave me two ten dollar bills which he said he found in Weeks's place, the Defendant was there at that time, the complainant came then and I told him I had received twenty-five dollars from the witness; the defendant was then locked up and taken to Court the next morning and held, he did not speak at all, all I could get out of him was "Jerusalem."

John Deelufti sworn and examined for the Defence.

I live No. 9 Washington Street and keep a store there, I have been there four months, the prisoner is my countryman, I knew him in the old country and knew him since he came here, I know other people who know him and he is a good honest man.

Cross Examined.

It was in Syria that I knew him, Zahli, he has been here two months, I knew him all my life in the old country, I left there about two years ago.

Emile Battel sworn and examined.

I live No. 9 Washington Street and am a shoemaker, I lived in the city about five months, I am acquainted with the Defendant, I knew him in the old country ten years ago. Do you know what his general character for honest is, is it good or bad? He is an honest man.

By Mr. Davis. When did you see him in the old country, how long ago? About two years ago.

0733

John Doe sworn and examined in his own behalf:

Interpreter: John Doe is the name he goes by.

Did you attempt to take forty-nine dollars belonging to this man that was on the stand by the name of Johnson? I have not taken anything, I went near his house because I was trying to sell some goods. Did he attempt to take this money, does he know anything about it? He said no.

Cross Examined. I was going from door to door looking everywhere to sell my goods, he says he went there near the barn to sell his goods; I stepped in to look inside, I did not see Mr. Johnson's vest hanging there, I walked quietly out and then he ran after me, I did not run, I was taken up, to the Police Court the next morning and I was there the same day too when they put to me several questions and then let me go. I lost some little things from my basket, little trinkets and I went to look for them when the police came and got hold of me.

The Jury rendered a verdict of guilty of petty larceny and the Defendant was sentenced to the Penitentiary for one year.

0734

Police Court— 6th District.

Affidavit—Larceny.

City and County of New York, ss.

William Johnston
 of No 165 Street near Mott Avenue ~~Street~~, aged 22 years,
 occupation Coachman being duly sworn

deposes and says, that on the 6th day of September 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 day time, the following property viz: Bills or notes, gold

and lawful money of the United States of values and denominations as follows: Three of ten dollars, Three of five dollars, One of Two dollars and Two of One dollar, in all of the value of Forty-nine dollars.

AND 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 John Doe, whose true name is to deponent unknown, who is now here, from the following facts: At about nine o'clock on the morning of said day deponent hung up in the barn of Miss Caroline Rice at 165 St and Mott Avenue a vest in the pocket of which was said money. At about 11:45 deponent opened said barn and went to the house nearby. Shortly thereafter deponent, coming out of the house, saw said John Doe coming out of the barn. Deponent going to the barn missed said money. At about 4:15 P.M. ~~James~~ Straight found ~~two~~ ten dollars bills and one five dollar bill between two trees behind a fence near Miss Rice's place, as said Straight informs deponent. Deponent saw said John Doe near the place where said money was found, and subsequently officer Henry Fenwick of the 33^d Precinct Police saw said John Doe lurking about

0735

said place, repeatedly returning after going away.
Said actions of said slave excited the suspicions of
the officer who arrested said slave after which his
said money was found as a present. Said slave spoke
English to defendant and replied to questions addressed to him by this
defendant in English.
I am to before me this }
5th day of September 1889 }
Charles A. Fairbank }
Police Justice

W. William Johnston

0736

Sec. 198-200.

6th

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

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 may think will tend to your
exculpation?

~~Answer.~~ Prisoner stands mute, feigning not to
understand English

6/25/11

Taken before me this

5th

day of September

1889

Charles W. Hinkley

Police Justice.

0737

CITY AND COUNTY }
OF NEW YORK, } ss.

Jemo Straights

aged 23 years, occupation Coachman of No

No 906 Courtland Avenue ~~Street~~, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of William Johnston
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 5th
day of September 1889

Jemo Straights

Charles N. Luntz
Police Justice.

0738

CITY AND COUNTY }
OF NEW YORK, } ss.

Henry Fenster

aged _____ years, occupation _____ of No. _____

of the 33^d Precinct Police

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of William Johnston

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

Sworn to before me, this 5th

day of September 1889 }

Charles N. Lintz
Police Justice.

Henry Fenster

0739

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

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 5 1889

Charles H. Smith 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.

0740

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court

6th

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Johnston
vs.

1 John Doe

2 Elmer Shakin

3

4

Dated September 5th 1889

Tainter

Magistrate.

Funker

Officer.

33rd

Precinct.

Witnesses

Lensel Straiths

No.

906 Cortlandt

Street.

No.

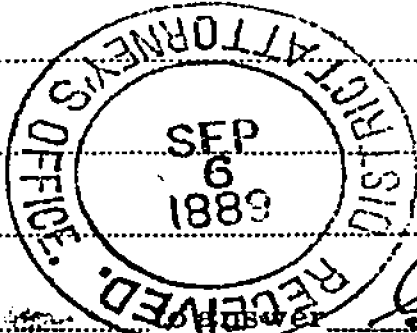
Street.

No.

Street.

\$500

Commenced



0741

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

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 5 1889

Charles N. Taintor 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.

0742

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Dobbins

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

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

The said

James Dobbins
late of the City of New York, in the County of New York aforesaid, on the
first 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 the body of one *William Mc Kenna*

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

and the said *William Mc Kenna*

with a certain sharp instrument to the Grand

Jury aforesaid unknown

which the said *James Dobbins*

in his right hand then and there had and held, the same being a deadly and

dangerous weapon then and there wilfully and feloniously did strike, beat, cut, stab and

wound,

with intent *him* the said *William Mc Kenna*

thereby then and there feloniously and wilfully to kill, against the form of the statute in

such case made and provided, and against the peace of the People of the State of New York

and their dignity.

SECOND COUNT—

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

James Dobbins

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

The said *James Dobbins*

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 *William Mc Kenna*

in the peace of the said People then and there being, feloniously did wilfully and

wrongfully make another assault, and *him* the said

William Mc Kenna

with a certain sharp instrument to the

Grand Jury aforesaid unknown

which the said *James Dobbins*

in his right hand then and there had and held, the same being a weapon and

an instrument likely to produce grievous bodily harm, then and there feloniously did

wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in

such case made and provided, and against the Peace of the People of the State of New York

and their dignity.

John R. Fellows,
District Attorney.

Witnesses:

William McKeenan

Officer Michael

11th Prec

Counsel,

Filed

1889

Pleads,

THE PEOPLE

vs.

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

James Dobbin

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Chas. B. DeLoach

Foreman.

Sept 11/89

Francis Henry Edey.

Pen: One year.

0743

0744

CORRECTION

0745

BOX:

364

FOLDER:

3424

DESCRIPTION:

Dobbins, James

DATE:

09/09/89



3424

Witnesses:

William McKeenan
Officer Michael
J. H. P. P. P.

Counsel,

Filed

1889

Pleads,

THE PEOPLE

vs.

James D. Doherty

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Chas. B. DeLoach

Foreman.

Sept 11/89

Officer Michael
P. P. P. P. P.
P. P. P. P. P.

0746

0747

The People
vs.
John Doe.

Court of General Sessions, Part I.
Before Judge Gildersleeve.

Wednesday, October 2, 1889.

Indictment for grand larceny in the second degree.

William Johnson sworn and examined, testified:

I live at Mott Avenue and 165th Street and am a coachman for Miss Roe at that place, I was there on the 4th of September, I saw this defendant there, I saw him come in my place and saw him go into my barn; it was ten minutes to twelve in the morning; when I first saw him he was coming by the front door of the house, I was going in the house to wash myself and I saw this man go up to the front door and when he went up to the front door the girl sent him away; he was going down by the stoop and I was going inside. Something struck me that that man was going to the barn, I turned right around and came out and as I was coming out I saw him coming out of my barn. I had my clothes in the barn and had money in my vest pocket, the vest was hanging up on a hook on the harness; it was on the first floor and about twelve feet from the door, I put it there about nine o'clock and the money was in my vest pocket; it was ten minutes of twelve when I saw him the barn was locked all the morning from nine until that time. When I saw him come out of my barn door I went right back to the barn and put my hand in my pocket and the money was gone and he was gone; as soon as he saw me he ran down the avenue, I caught him and brought him back to the corner, I found an officer and gave him in charge to the officer; he was searched but no money was found on him. In the evening I saw money in the officer's hand in Mr. Week's grass plot, I was not there when it was found.

0748

My money consisted of three tens, three fives, a two dollar bill and two single dollars; the money that the officer had was two ten dollar bills and a five dollar bill. Mr. Week's grass plot is a little over a block away from our house, I caught the Defendant right opposite the place where the money was found over the fence, I caught him on the sidewalk opposite Mr. Week's. The Defendant did not say anything but he jumped around and tried to get away from me but I held him, he ran probably about half a block. I told the Sergeant there was a five dollar bill, that it called for five silver dollars and the five dollar bill that was with the two ten dollar bills that the officer had called for five silver dollars. When I went back to the barn door it was on a half jar, the same as left it going in the house.

Cross Examined

When I took my vest off my money was in the vest pocket and that was at nine o'clock, I hung it up about half past seven in the morning, I was on the sidewalk fronting the house where I work and the barn is about twenty-five feet from the house, I did not take it out of my pocket, the money was rolled up in a lump, I was on the sidewalk the time I put the money in the pocket in front of my own house, after I put the money in the pocket I swept the sidewalk off; previous to doing so it being kind of warm, I went in and took my vest off and put my jumper on and hung the vest on the hook. I spent two hours in cleaning the sidewalk and cutting the grass and trimming the borders. The barn door was locked, the barn stands back of the house, I did not have a full view of the barn all the time; nobody could go in the barn for I had the key. For

0749

all I know anybody could go in the barn without my seeing them but I can swear the barn was locked. Can you swear of your own knowledge that no person went in the barn door from nine o'clock till twelve? No other person. Did not I ask you the question could not another person have gone into the barn during the time without your seeing them? You asked me that question and I said no, because I had the keys and the barn was locked. I saw the Defendant on the sidewalk but not all the time, the first time I saw him he was going up to the front door of the house, he was sent away by the girl and I was going in the house. Did you hear the girl send him away? Yes, he went right away and went down into the barn and something struck me that he had gone into the barn and took my vest, I turned back and saw him coming out of my barn door. Did you find him in the yard? I found him stepping out of the barn door, coming right out of the door. He was outside when you first saw him? No sir, in the door coming out.

Lemil Straiths sworn and examined.

I live at 906 Courtland Avenue and my business is a coachman for Mrs. Weeks, I know where Miss Roe's place is, it is about a block from Mrs. Weeks. I saw this Defendant on the 4th of September about twelve o'clock it was a little before twelve. What was he doing when you first saw him? He was peddling and selling me a watch chain, I wanted to buy a watch chain, I bought it and gave him twenty cents for it. Where was he at that time? He was in Mrs. Weeks's yard; I talked with him in English, he told me about the chain, how much it was and after he got through he asked me for a couple of pears and I gave

0750

them to him. I did not see him after that until about five o'clock, he was standing in the street, I was going to the depot to meet Mr. Weeks, he was going up the Avenue with a basket about half past five, I did not say anything to him, I saw him after that in the Station House and he did not have anything to say. I found the money about a quarter past five, I was looking for it, William Johnson when he came back from dinner told me about the loss of this money and said if I found it he would give me half of it, I went to look for it, cutting the grass, I went to rake the walk and I came across this money a little ways from the tree, I gave it to the officer, it was in a wad, I did not see Mr. Johnson catch the Defendant, I did not say anything to the Defendant about the money, he was about three or four yards from the gate of Mr. Weeks's and where I found the money.

Cross Examined. The Defendant was not arrested when I saw him the second time in the afternoon, I first saw him about twelve in the morning, I commenced to look for the money about two or three o'clock, I don't remember the exact time when Johnson told me that he lost the money, he said he came right from the Harlem Court, I was not there with him and do not know what he was doing at Court, I did not see Johnson about twelve o'clock that day, I am working there still, Johnson did not tell me how much money he lost but said he would give me half of it if I found it, it was about a quarter of five when I found the money, I was looking for it half an hour, I was raking the grass at the same time, I was not walking up and down three hours looking for the money.

0751

Henry Fenker sworn and examined.

I am an officer of the 33rd precinct and on the 4th of September 1889 I arrested the Defendant sometime after half past five in the evening. Is that the first arrest that day? No, he was brought in about a quarter to one o'clock by Officer Donohue, I understood he was taken to the Harlem Court and discharged for want of evidence. How did you come to arrest him? I met the complainant at four o'clock and he told me of this charge, I was on post and went to the upper end of my post which is 165th Street and Mott Avenue and I found the Defendant there, this was about a quarter past five o'clock, he was standing with a family named Foley. I know where Mr. Weeks's place is, I did not see the money found but the place where it was found was shown me, it was about fifteen or twenty feet from the sidewalk. The Defendant passed in front of Weeks's gate about a quarter of an hour before I arrested him, he was standing at Foley's, in the first place he wanted a direction to go down town and I directed him, when he was talking with Mrs. Foley he showed me a direction, he showed me a piece of paper, I believe it was Washington Street down town, I pointed the way for him to go and I watched him and then half an hour after he came back in the same place in front of Mr. Weeks's gate, he passed Mr. Weeks's gate and went as far as Miss Roe's and came back again and stood looking in the grass between Weeks's and the next place to it, he was on the sidewalk looking down in the grass as if he was looking for something, this was about a hundred feet from the place where the money was found; when he saw me he came up to me and brought out the direction again

0752

6th

and showed it to me. I commenced looking in the grass thinking he threw the money in the grass, he went out into the street and picked up a pair of cuff buttons and put it in his pocket and commenced to leave. In the meantime Straiths came to me and gave me two ten dollar bills^{and a five} which he said he found in Weeks's place, the Defendant was there at that time, the complainant came then and I told him I had received twenty-five dollars from the witness; the defendant was then locked up and taken to Court the next morning and held, he did not speak at all, all I could get out of him was "Jerusalem."

John Deelufti sworn and examined for the Defence.

I live No. 9 Washington Street and keep a store there, I have been there four months, the prisoner is my countryman, I knew him in the old country and knew him since he came here, I know other people who know him and he is a good honest man.

Cross Examined.

It was in Syria that I knew him, Zahli, he has been here two months, I knew him all my life in the old country, I left there about two years ago.

Emile Battel sworn and examined.

I live No. 9 Washington Street and am a shoemaker, I lived in the city about five months, I am acquainted with the Defendant, I knew him in the old country ten years ago. Do you know what his general character for honest is, is it good or bad? He is an honest man.

By Mr. Davis. When did you see him in the old country, how long ago? About two years ago.

0753

John Doe sworn and examined in his own behalf:

Interpreter: John Doe is the name he goes by.

Did you attempt to take forty-nine dollars belonging to this man that was on the stand by the name of Johnson? I have not taken anything, I went near his house because I was trying to sell some goods. Did he attempt to take this money, does he know anything about it? He said no.

Cross Examined. I was going from door to door looking everywhere to sell my goods, he says he went there near the barn to sell his goods; I stepped in to look inside, I did not see Mr. Johnson's vest hanging there, I walked quietly out and then he ran after me, I did not run, I was taken up, to the Police Court the next morning and I was there the same day too when they put to me several questions and then let me go. I lost some little things from my basket, little trinkets and I went to look for them when the police came and got hold of me.

The Jury rendered a verdict of guilty of petty larceny and the Defendant was sentenced to the Penitentiary for one year.

0754

Testimony in the
case of

John Doe

filed

Sept. 1889

0755

Police Court—6th District.

Affidavit—Larceny.

City and County of New York, ss.

William Johnstone
 of 165th Street near Mott Avenue, aged 22 years,
 occupation Coachman being duly sworn

deposes and says, that on the 4th day of September 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 day time, the following property viz: Bills or notes, gold

and lawful money of the United States of values and denominations as follows: Three of ten dollars, Three of five dollars, One of Two dollars and Two of One dollar, in all of the value of Forty-nine 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 John Doe, whose true name is to deponent unknown, who is now here, from the following facts: At about nine o'clock on the morning of said day deponent hung up in the barn of Miss Caroline Rose at 165th St and Mott Avenue a vest in the pocket of which was said money. At about 11:45 deponent opened said barn and went to the house nearby. Shortly thereafter deponent, coming out of the house, saw said John Doe coming out of the barn. Deponent going to the barn missed said money. At about 4:15 P.M. James Straight found ten dollars bills and one five dollar bill between two trees behind a fence near Miss Rose's place. Deponent saw said John Doe near the place where said money was found, and subsequently officer Henry Fennick of the 33^d Precinct Police saw said John Doe loitering about

0756

said place, repeatedly returning after going away.
Said actions of said Dove excited the suspicions of
the officer who arrested said Dove after which the
said money was found as aforesaid. Said Dove spoke
English to deponent and replied to questions addressed to him by this
deponent to before me this } deponent in English.
5th day of September 1889
Charles N. Taintor
Police Justice

W. William Johnston

0757

Sec. 198-200.

6th

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

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 may think will tend to your
exculpation?

*Mr. Prisoner stands mute, feigning not to
understand English*

مستعصي

Taken before me this

5th

day of September 1889

Charles W. Thindtz

Police Justice.

0758

CITY AND COUNTY }
OF NEW YORK, } ss.

Lemo Straights

aged 23 years, occupation Coachman of ~~No~~

No 906 Courtland Avenue ~~Street~~, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of William Johnston

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

Sworn to before me, this 5th
day of September 1889

Lemo Straights

Charles N. Luntz
Police Justice.

0759

CITY AND COUNTY }
OF NEW YORK, } ss.

Henry Fentner

aged _____ years, occupation _____ of No. _____

of the 33^d Precinct Police

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of William Johnston

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

Sworn to before me, this 5th

day of September 1889 }

Charles A. Linton
Police Justice.

Henry Fentner

0760

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

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 5 1889 Charles J. Smith 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.

0761

1344

Police Court 6th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Johnston

1 John Doe

2 Elias Shahn

3

4

Office Lacey
Felony

Dated September 5th 1889

Tainter Magistrate.

Fenker Officer.

33rd Precinct.

Witnesses Lemel Straiths

No. 906 Cortlandt Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

BAILED,

No. 1, by

Residence Street.

No. 2, by

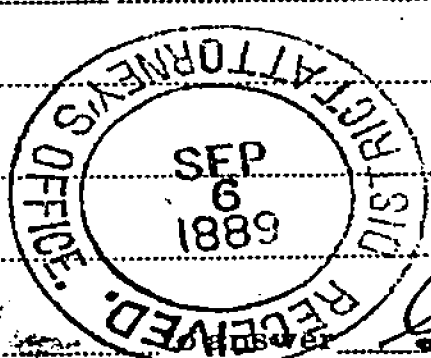
Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.



Committed

0762

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Dobbins

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

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

The said

James Dobbins
late of the City of New York, in the County of New York aforesaid, on the
first 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 the body of one *William Mc Kenna*

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

and *him* the said *William Mc Kenna*

with a certain *sharp instrument to the Grand*

Jury aforesaid unknown

which the said *James Dobbins*

in *his* right hand then and there had and held, the same being a deadly and

dangerous weapon then and there wilfully and feloniously did strike, beat, cut, stab and

wound,

3

with intent *him* the said *William Mc Kenna*

thereby then and there feloniously and wilfully to kill, against the form of the statute in

such case made and provided, and against the peace of the People of the State of New York

and their dignity.

SECOND COUNT—

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

James Dobbins

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

The said

James Dobbins

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 *William Mc Kenna*

in the peace of the said People then and there being, feloniously did wilfully and

wrongfully make another assault, and *him* the said

William Mc Kenna

with a certain *sharp instrument to the*

Grand Jury aforesaid unknown

which the said *James Dobbins*

in *his* right hand then and there had and held, the same being a weapon and

an instrument likely to produce grievous bodily harm, then and there feloniously did

wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in

such case made and provided, and against the Peace of the People of the State of New York

and their dignity.

John R. Fellows,
District Attorney.

0763

BOX:

364

FOLDER:

3424

DESCRIPTION:

Doe, John

DATE:

09/24/89



3424

Witnesses:

William Johnston

Off Beau Crider

Emuel Strath

1889 / 1890
Francis Searap
79 Washington
N. Coleman
District Clerk

Counsel,

Filed

1889

Pleads,

24 May 1889
Chiquilly, et al

THE PEOPLE

vs.

John Doe
Elias Shakin

Grand Larceny in the second degree.
(MONEY.)
(Sec. 528 and 531, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Chas. B. Deane

Deputy

W. J. Foreman.

Chas. B. Deane

Deputy

Perone year

0764

0765

Police Court—3rd District.

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

William M. Kenna
of No. 137 Cherry Street, aged 29 years,
occupation Painter being duly sworn

deposes and says, that on First day of September 1889 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and ~~BEATEN~~ by James Robbins
(now here) who cut and stabbed deponent
in his right leg, with a sharp instrument
the said defendant held the same in his right
hand, causing a gashing wound,

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without
any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be ~~apprehended and~~ bound to answer
for the above assault, etc., and dealt with according to law.

Sworn to before me, this 2nd day
of September 1889.

W. H. H. H.
Police Justice.

William M. Kenna
Witness

0766

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

3rd
District Police Court.

James Hobbins 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. *James Hobbins*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *N^o 137 Cherry Street, about four months*

Question. What is your business or profession?

Answer. *Frame maker*

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

Answer. *I am not guilty*

James Hobbins

Taken before me this *2nd*
day of *September* 1900
[Signature]
Police Justice

0767

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 *September 2nd* 188..... *[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.

0768

Police Court-- 3 District. 1300

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William M. Kenna
137 Cherry Street
James Robbins
Offence Felony Assault

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated September 2nd 1889

Ruffy Magistrate

Michaels Officer.

7th Precinct.

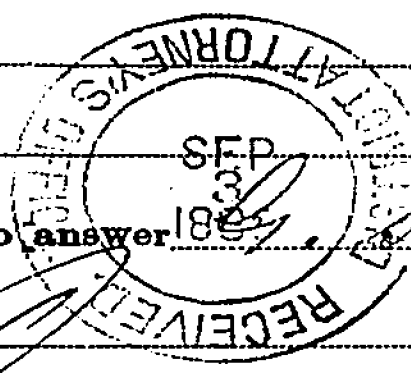
Witnesses Annie M. Kenna

No. 137 Cherry Street.

No. _____ Street.

No. _____ Street.

\$ 500 to answer 1889



[Signature]

0769

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Doe

The Grand Jury of the City and County of New York, by this indictment, accuse *John Doe whose real name is to the Grand Jury aforesaid unknown* of the crime of GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said *John Doe*,

\$49.- late of the City of New York, in the County of New York, aforesaid, on the *fourth* day of *September*, in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, with force and arms, in the *— day —* time of the same day, ~~promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of twenty dollars, and of the value of twenty dollars~~ ;

three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of ten dollars, and of the value of ten dollars *each* ; *three* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of five dollars, and of the value of five dollars *each* ;

one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of two dollars, and of the value of two dollars *—* ; *two* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of one dollar, and of the value of one dollar *each* ;

~~promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars~~ ; *three* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars *each* ; *three* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars *each* ; ~~United States Silver Certificate of the~~

0770

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

of the proper moneys, goods, chattels and personal property of one

William
Johnston, _____

then and there being

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

JOHN R. FELLOWS,
District Attorney.

0771

BOX:

364

FOLDER:

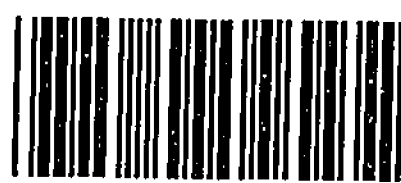
3424

DESCRIPTION:

Donnelly, David

DATE:

09/09/89



3424

Witnesses;

Thomas O'Brien

Off Stephen J. Reegan

6th Prec

Counsel,

Filed

Pleads,

9 / 18

Sept. 9 / 18

THE PEOPLE

vs.

P

David Donnelly

Grand Larceny Second Degree

[Sections 528, 589, 590, Penal Code.]

JOHN R. FELLOWS,

Pr. Sept 11. 1889. District Attorney.
Ind & acquitted.

A True Bill.

Chas. B. Roberts

Foreman.

0772

0773

Police Court

District

Affidavit—Larceny.

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

Thomas O'Brien

of No. 17 Rector
occupation Driver

Street, aged 20 years,

being duly sworn
deposes and says, that on the 31 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 day time, the following property, viz:one living horse with harness and
cart attached of the value of
one hundred dollars

the property of

John O'Conners in the care &
charge of 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 David Sennelly (man here)from the fact that deponent is
informed by Stephen Reagan
that he found said horse
in the possession of said Sennelly
in Elm Street in said City

Thomas O'Brien

Sworn to before me this

day

1889

Police Justice.

0774

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 25 years, occupation Police officer of No. 6th Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Thomas O'Brien
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 1
day of Sept 188

Stephen J. Reagan

John J. McHenry
Police Justice.

Stephen J. Reagan

0775

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer.

David Connolly

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

35 Barry 4 days

Question. What is your business or profession?

Answer.

Sailor

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 found the horse in Centre St

David Connolly
his
mark

Taken before me this
day of *SEPTEMBER*, 188*9*

Police Justice.

David Connolly

0776

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 syndant

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

Dated Sept *188* 9 *Police Justice.*

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

Dated *188* *Police Justice.*

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

Dated *188* *Police Justice.*

0777

Police Court---

1329 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas O'Brien
17 Rector
David Sammlly

2

3

4

Office

Deputy

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

Sept 1

1889

A O Reilly

Magistrate.

Reagan

Officer.

Precinct.

Witness

Stephen J Reagan

No.

6th Precinct Police

Street.

No.

Street.

No.

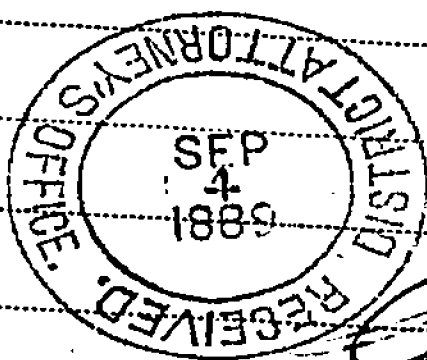
Street.

\$

1000

to answer

COMMITTED.



0778

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

David Donnelly

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

David Donnelly

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

The said

David Donnelly

late of the City of New York, in the County of New York aforesaid, on the *thirty first*
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 horse of the value of sixty
dollars, one cart of the value
of thirty dollars, and one set
of harness of the value of ten
dollars

of the goods, chattels and personal property of one

Thomas O'Brien

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.

0779

SECOND COUNT—

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

— *David Donnelly* —

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

The said *David Donnelly*

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 sixty dollars, one cart of the value of thirty dollars, and one set of harness of the value of ten dollars

of the goods, chattels and personal property of one *Thomas O'Brien*

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

Thomas O'Brien

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

David Donnelly —

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.

0780

BOX:

364

FOLDER:

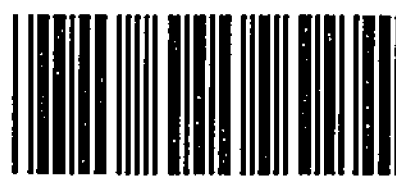
3424

DESCRIPTION:

Donnelly, Thomas

DATE:

09/25/89



3424

0781

BOX:

364

FOLDER:

3424

DESCRIPTION:

Dougherty, Daniel

DATE:

09/25/89



3424

Witnesses;

John P. Freidberg

Jacob Keeler

Off John Kennedy

222 Peach

Adam Marshall

Counsel,

Filed 25 day of Sept 18

Pleads *Not guilty*

THE PEOPLE

vs.

Thomas Donnelly

and

Daniel Dougherty

JOHN R. FELLOWS,

P. 2. Dec 8/89 District Attorney.

Both tried & acquitted.

A True Bill.

Chas. B. Roberts

Foreman.

Sworn to by the Third degree
Degree & Trial
Section 408, Art. 6, Sec. 1, Code 1907

0782

0783

Police Court— District.

City and County } ss.:
of New York,

of No. 150 1/2 West 5th St. Street, aged 33 years,
occupation Shoemaker, being duly sworn
deposes and says, that the premises No. 150 1/2 West 5th St. Street, 22 Ward
in the City and County aforesaid the said being a Brick and stone
Building
and which was occupied by deponent as a
and in which there was at the time a human being by name

were BURGLARIOUSLY entered by means of forcibly

Opening a
Window, leaving from the fire escape
of the second floor of said premises
to a fence, adjoining said premises

on the 20 day of August 1889 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of Lead Pipe &
the value of Thirty dollars.

the property of

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Thomas Donnelly & Daniel D. O'Neil
(both men here)

for the reasons following, to wit:

That at or about the hour
of 9:30 P.M. on the 19th day of August 1889
deponent secretly entered and by
said premises. That at or about the
hour of 8 A.M. on the 20th day of August
1889, deponent discovered that said
premises had been entered as
aforesaid and the said property
taken stolen and carried away

0784

Dependent is informed by Jacob
Keller that on said duty he saw the
said Sumner & Doeherty in their
shop with a quantity of lead
in their possession and that they
the said Sumner and Doeherty
informed ~~informed~~ him that they
will take the lead and carry away
said property from defendants
premises.

Dependent therefore prays that the
said defendants may be held to
answer ~~the same~~

Sworn to before me
This 2nd day of September 1889 } John B. Freudenberger
Notary Public

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 1889
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1889
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1889
Police Justice.

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
vs.	
1	
2	
3	
4	
Dated	1889
Magistrate.	
Officer.	
Clerk.	
Witnesses.	
No.	Street,
No.	Street,
No.	Street,
\$ to answer General Sessions.	

0785

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 12 years, occupation None of No.

1574 West 57th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of John B. Henderson,

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

Sworn to before me, this

day of September 1899

Wm Mahon

Police Justice.

J. Keller

0786

Sec. 198-200.

✓ District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

Thomas Donnelly

Question. How old are you?

Answer.

18 Years.

Question. Where were you born?

Answer.

New York.

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

Answer.

521 West 48 St. 6 months

Question. What is your business or profession?

Answer.

Longshoreman

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

Answer.

I am not guilty of the Charge

Thomas Donnelly

Taken before me this

day of *September* 188*8*

John M. ...
Police Justice.

0787

Sec. 198-200.

✓ District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Samuel Dougherty 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.

Samuel Dougherty

Question. How old are you?

Answer.

18 Years

Question. Where were you born?

Answer.

New York

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

Answer.

1727 10th Ave. 6 months

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
Daniel Dougherty

Taken before me this

day of *September* 188*8*

Wm. M. [Signature]
Police Justice.

0788

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 Alfred Smith

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Ten Hundred Dollars, 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 Sept. 2 1889 W. M. Mahon 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.

0789

307
Police Court *L* *1330* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John B. Hendricks
307 West 51st
Thomas D. Smith
Samuel Socher

Offence
May 1st

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *September 2* 188*8*

M. Mahon Magistrate

John Kennedy Officer.

John Kennedy Precinct.

Witnesses *James S. Keller*

No. *730-11th Ave* Street.

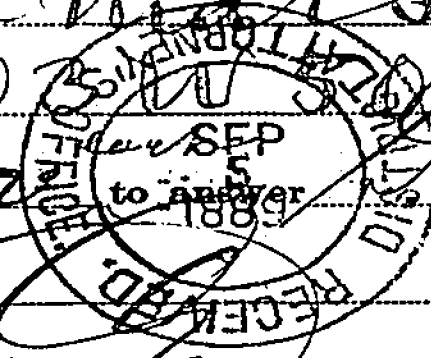
John Brown

No. *507 W 50* Street.

Adam Marshall

No. *50* Street.

\$ *1000* to answer



0790

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 Donnelly and
Daniel Dougherty*

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

Thomas Donnelly and Daniel Dougherty

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

The said

*Thomas Donnelly and
Daniel Dougherty, both*

late of the *Twenty-second* Ward of the City of New York, in the County of
New York, aforesaid, on the *twentieth* day of *August* in the year of
our Lord one thousand eight hundred and *eighty-nine* with force and arms, at the
Ward, City and County aforesaid, a certain building there situate, to wit: the *building* of one

John B. Freudenberger

feloniously and burglariously did break into and enter, with intent to commit some crime therein,
to wit: with intent, the goods, chattels and personal property of the said

John B. Freudenberger

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

0791

SECOND COUNT—

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

Thomas Donnelly and Daniel Dougherty
of the CRIME OF *Grave* LARCENY in the second degree, committed as follows.

The said

Thomas Donnelly and Daniel Dougherty, both
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the Ward, City and County aforesaid, in the *right* time of the said day, with force and arms,

*two hundred pounds of lead pipe
of the value of fifteen cents
each pound*

of the goods, chattels and personal property of one

in the *building* of the said

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

0792

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said *Thomas Donnelly and Daniel Dougherty* of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows.

The said *Thomas Donnelly and Daniel Dougherty*, both late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms,

two hundred pounds of lead pipe of the value of fifteen cents each pound

of the goods, chattels and personal property of one

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

unlawfully and unjustly, did feloniously receive and have; the said *Thomas Donnelly and Daniel Dougherty* 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.

0793

BOX:

364

FOLDER:

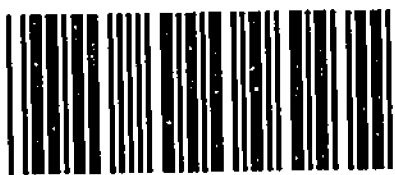
3424

DESCRIPTION:

Donohue, Thomas

DATE:

09/24/89



3424

POOR QUALITY
ORIGINAL

0794

101
Counsel,
Filed *Sept 18*
Pleads, *Sept 18*

THE PEOPLE
Grand Larceny second degree.
[Sections 528, 531 — , Penal Code].
Thomas Donohue
John R. Fellows
District Attorney

A True Bill.

Chas. B. Fickens

Part III September 2, 1889
Foreman.
Pleads Guilty - 13

Dec 20, 1889
101

0795

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 Dandine

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

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

The said *Thomas Dandine*,

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

six hundred and fifty rings of the

value of eighty cents each,

of the goods, chattels and personal property of one *Harry R. Sudd,*

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

John R. Sudd,
Attorney

0796

BOX:

364

FOLDER:

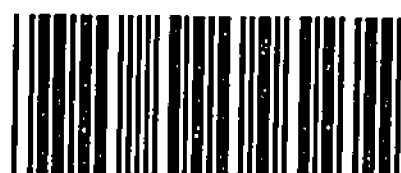
3424

DESCRIPTION:

Dunspaugh, George

DATE:

09/09/89



3424

Witnesses:

George Dunsbaugh
Off Rarmonice
14th Prec

Counsel,

Filed

day of

188

Pleads,

THE PEOPLE

vs.

George Dunsbaugh

H.D.

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

JOHN R. FELLOWS,

District Attorney.

Oct 1 - 1889

A True Bill.

Chas. B. Dunsbaugh

Foreman.

Sept. 11/89.

Spied & Acquitted

0797

0798

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, DISTRICT.

of No. Patrick Barnwell
H. P. McNeill Street, aged 39 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 John Sullivan,

now here, is a necessary and
material witness against one
George Donoughoe and thus
charged with Robbery. That said
Sullivan is without means
and has not a home in
New York, and dependent believe
will not appear to testify on
the trial of said charge unless
put under bonds.

Patrick Barnwell

Sworn to before me, this

of

August

188

14 day

Police Justice

0799

Police Court-- District.

CITY AND COUNTY }
OF NEW YORK, } ss

John Sullivan, now
of No. House of Retention St., Aged 23 Years
Occupation Bricklayer being duly sworn, deposes and says, that on the
13th day of August 1889, at the Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful money, consisting
of one ten dollar bill, three
one dollar bills and silver
coins of the value of three dollars,
contained in a pocket book,
and being in all

of the value of Sixteen DOLLARS,
the property of deponent

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

George Dunspargh, now here,
and two other men not named
whose names are unknown to
deponent, for the reasons following:
to wit: That deponent came
from Brooklyn, in Company
with the defendant Dunspargh,
to the City of New York, about
the 10th of 4th 12 o'clock P. M. on
said day. That deponent went
with the defendant to a saloon
in James Street and drank
three glasses of beer in his
Company. That deponent and said

0800

defendant then left the saloon
legitimate, and at said time said
money was in said pocket book
in the hip pocket of the pants
then worn upon defendant's person.
That said defendant took defendant
into a back way a short distance
from the saloon and upon de-
fendant entering the back-way
the two other men rushed in
and the defendant, Thompson,
seized each of defendant's throat
with his hands while one of
said other men forcibly took
said pocket book and money
from defendant's person and pos-
sion, while defendant was being
forcibly held and detained in
said back-way.

W. J. G. August 1889

Police Justice

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

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

of the City of New York, until he give such bail.

and be committed to the Warden and Keeper of the City Prison

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

Hundred Dollars

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

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—ROBBERY.

vs.

Dated 1889

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0801

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

George Dunsparke 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.

George Dunsparke

Question. How old are you?

Answer.

23 years of age

Question. Where were you born?

Answer.

Catskill, New York

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

Answer.

41 Courtland St. 5 weeks

Question. What is your business or profession?

Answer.

Steam fitter

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
George Dunsparke

Taken before me this

14th

day of *August* 188*4*

Police Justice.

[Signature]

0802

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.....

George Thompson
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 August 15th 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.

0803

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

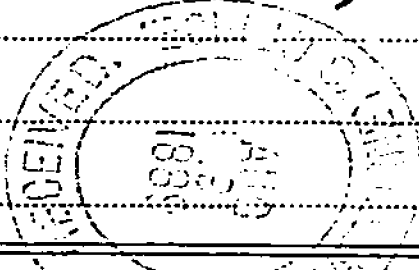
Residence Street.

Police Court---¹²¹ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Sullivan
vs.
Geo. Dunsenburgh

2
3
4



1219
Offence Robbery

Dated *August 14* 188 *9*

Hogans Magistrate.

Barnwell Officer.

H Precinct.

Witnesses *Patrick Barnwell*

No. *H. Precinct Police* Street.

Complainant in the
House of Detention Street.

in default of \$100.

To testify Street.

\$ *1000.* to answer *G. S.*

Comd

Oct. Sept. 15 - 2. P. M.

0804

(6th A We r "1/89"

Catskill N.Y.

August 29. 1889

To whom it may Concern

This is to certify that we have known George Dunsbaugh from his boyhood having been born & always lived in Catskill until about one & one half years ago, when he went to New York to work at his trade - that we have always supposed him to be honest and upright, and have never heard him charged with any misconduct while living in Catskill - and now fear that the charge brought against him in New York City, and for which he is about to stand trial is instigated through mistake of identity, and the one guilty of the crime charged may escape, and hence the rights of an innocent person jeopardized.

Hoping under the circumstances some

0805

Consideration may be given to his
case, so that if innocent he may not
suffer -

Yours &c

M B Mattice

Ex County Judge of

Genesee Co N.Y.

J W Bagley Jr Ex M.C

M B Sage Police Justice

N B Bay

0806

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

George Dunsprangh

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

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

The said George Dunsprangh,

late of the City of New York, in the County of New York aforesaid, on the thirteenth day of August, in the year of our Lord one thousand eight hundred and eighty-nine, in the day time of the said day, at the City and County aforesaid, with force and arms, in and upon one John Sullivan, in the peace of the said People, then and there being, feloniously did make an assault, and

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

three promissory notes for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of one dollar each; three promissory notes for the payment of money of the kind commonly called Bank Notes, of the denomination and value of one dollar each; three United States Gold Certificates, of the denomination and value of one dollar each; three United States Silver Certificates, of the denomination and value of one dollar each;

divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of three dollars, and one pocket book of the value of one dollar, of the goods, chattels and personal property of the said John Sullivan from the person of the said John Sullivan, against the will, and by violence to the person of the said John Sullivan, then and there violently and feloniously did rob, steal, take and carry away, the said George Dunsprangh being then and there aided by an accomplice actually present, whose name is to the Grand Jury aforesaid as yet 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

0007

END OF
BOX