

0672

**BOX:**

7

**FOLDER:**

99

**DESCRIPTION:**

Bally, William

**DATE:**

03/31/80



99

0673

BOX:

7

FOLDER:

99

DESCRIPTION:

Callings, Willis J.

DATE:

03/31/80



99

0674

500  
202

Day of Trial,

Counsel,

Filed 31 day of March 1850

Pleads

*Attorney's fees by order of the Court*

THE PEOPLE

vs.

MA

*Willis J. Callings*

MA

*William Baily*

BENJ. K. PHELPS,

*District Attorney.*

A True BILL.

*W. J. Callings*

Foreman.

0675

City and County  
of New York ss.

Murray Nibert says: A week ago I came to New York for the purpose of buying some cheap horses to send to my son. I could not get suited at 24<sup>th</sup> Street. I then started to go to the stables at 71<sup>st</sup> Street and Second Avenue, the railroad stables. On my way up a man named Gallin overtook me and told me he had a couple of horses advertised in the Herald. I told him that I did not think it worth my time to go up to see them but he prevailed upon me to do so. He told me it was only a little way up. I went up with him to look at them. I told him they were not the kind of horses I wanted. Whilst I was in the stable there came a man in, he said he had driven these horses the day before and did not think they could make the time the Gallin represented. He then took out a package of money and commenced counting it out and told Gallin that he would give him \$900 for them. Gallin asked him where these horses were going.

0676

He said they were to Boston or near Boston. Gallius then asked the man whether these horses were going in speculators hands. He said they were if he bought them he wanted to make money out of them. Gallius then said his brother had died, he promised his brothers wife and his mother that these horses should not be going into speculators hands. He said he could not have these horses under any consideration. I then started out of the stable and the other man also. ~~Now~~ The other man then told me when we got round the corner that he could not buy the horses but if I would <sup>buy</sup> them for him he would give me 25 dollars and I should deliver them just around the street. I then bought the horses and paid 300 dollars for them and delivered them around the corner according to contract. When I got round the corner with the horses another man handed me a card stating that he had gone to the Boston boat, that I should take the horses down there and that he would meet

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take the horses and give me my  
money. I took the horses there, my  
man was not there. I could not  
find him ~~now~~ on any of those Boston  
lines. I put the horses into a stable  
in Washington Street and left them  
there a couple of days, and in  
mean time I looked for my  
man and could not find him.  
I then took the horses to a living  
store in 27<sup>th</sup> Street. On  
Saturday I traded them for  
one horse and then went home

0678

202

308

1000

Henry Fisher

or

William J. Callings

William Bell

John Fox

officer.

City and County  
of New York & ss.

The jurors of the People of the  
State of New York, in and for the body of the  
City and County of New York upon their  
oath present.

That Willis & Callings and William Bally  
late of the First Ward of the City of New York  
in the County of New York aforesaid, on the second  
day of March, in the year of our Lord one thou-  
- sand eight hundred and eighty, at the Ward,  
City and County aforesaid, with force and arms  
on the day and year last aforesaid, with  
intent to cheat and defraud one Henry  
- Niber and to induce the said Henry Niber  
to exchange and part with three hundred  
dollars for two certain horses, did then  
and there feloniously, unlawfully, wrong-  
- ously and designedly falsely pretend  
and represent to the said Henry Niber  
that they the said Willis & Callings  
and William Bally, were then and  
there, and theretofore had been actually  
and in good faith negotiating and  
bargaining between them the said  
Willis & Callings and the said William  
Bally, for the sale by the said Willis  
& Callings to the said William Bally

of two certain horses, and that he the said  
William Bally had theretofore in good  
faith offered to pay, and was then <sup>and</sup>  
there willing to pay him the said Wells  
& Callings the sum of two hundred and  
ninety dollars in money for said horses,  
and that he the said Wells & Callings  
had theretofore refused, and was then <sup>and</sup>  
there unwilling to accept an offer for the  
said two horses, from him the said Willi-  
am Bally of said sum of two hundred  
and ninety dollars, and that because  
he the said William Bally had declared  
his intention to sell the said horses if  
he should obtain possession of the same  
to speculators, that he the said Wells  
& Callings was therefore unwilling to  
sell the said horses upon any terms  
to him the said William Bally, and  
that the brother of him the said Wells  
& Callings had formerly owned said horses  
and that said brother had died, and  
that he the said Wells & Callings had  
promised both the wife of his said brother  
and also the mother of him the said  
Wells & Callings that said horses should  
not be sold into the hands of specu-  
-lators-

And the said Henry Tiber then and there believing the said false pretences and representations so made as aforesaid by the said Willis J Callings and William Bally and being deceived thereby, was induced by reason of the false pretences and representations so made as aforesaid to deliver and did then and there deliver to the said Willis J Callings and the said William Bally a certain sum of money to wit: the sum of three hundred dollars in money and of the value of three hundred dollars of the proper money, valuable things, goods, chattels, personal property and effects of him the said Henry Tiber. And the said Willis J Callings and William Bally did then and there designedly receive and obtain the said certain sum of money to wit: the sum of three hundred dollars in money and of the value of three hundred dollars of the said Henry Tiber, of the proper money, valuable things, goods, chattels, personal property and effects of the said Henry Tiber, by means of the false pretences and representations aforesaid and with intent feloniously to cheat and defraud the said Henry Tiber of the same.

And whereas in truth and in fact, they the said Wells & Callings and William Bally had not then and there not theretofore been negotiating or bargaining between themselves for the sale by the said Wells & Callings to the said William Bally of said two horses, and that his representations, statements and pretences so made as aforesaid in regard to any negotiations and bargainings between them the said Wells & Callings and William Bally about the sale of said horses was wholly false, invented, and fictitious - And whereas in truth and in fact, he the said William Bally had not theretofore in good faith offered to pay, and was not then and there willing to pay him the said Wells & Callings the sum of two hundred and twenty dollars in money for said horses,

And whereas in truth and in fact he the said Wells & Callings, had not theretofore refused and was not then and there <sup>not</sup> willing to accept any offer of two hundred and twenty dollars from him the said William Bally for the said horses,

And whereas in truth and in fact, he the said William Bally had not theretofore

declared in good faith his intention to sell said horses to speculators if he should obtain possession of the same. And whereas in truth and in fact he the said Willis J. Callingo was not in truth and in fact and in good faith unwilling to sell said horses to him the said William Bally by reason of the declaration of intention of him the said William Bally to sell said horses to speculators in case he the said William Bally should become possessed of the same.

And whereas in truth and in fact the brother of him the said Willis J. Callingo had not theretofore promised the wife of his brother and the mother of him the said Willis J. Callingo or either of them that said horses should not be sold into the hands of speculators.

And whereas in truth and in fact each and all of said representations and pretences were wholly false, fraudulent and fictitious.

And whereas in truth and in fact the pretences and representations so made as aforesaid by the said

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Willis L. Callings and William  
Bally to the said Henry Nibbs  
was and were in all respects utterly  
false and untrue to wit: on the  
day and year last aforesaid at  
the Wash City and County aforesaid

And whereas in fact and in truth  
the said Willis J. Callings and  
William Bally well knew the said  
representations and pretences so by  
them made as aforesaid to the said  
Henry Nibbs to be utterly false and  
untrue at the time of making the same

And so the Jurors aforesaid upon  
their oaths aforesaid do say

That he the said Willis J. Callings  
and William Bally by means of the  
false pretences and representation  
aforesaid, on the day and year  
last aforesaid at the Wash City  
and County aforesaid, feloniously  
unlawfully falsely knowingly and  
designedly did receive and obtain  
from the said Henry Nibbs a certain  
sum of money: to wit the sum of  
three hundred dollars in money and  
of the value of three hundred dollars  
of the proper money, valuable things

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goods chattel personal property  
and effect of the said Henry Nibler  
with intent feloniously to cheat  
and defraud him of the same  
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  
Benj. K. Helf  
District Attorney

0686

BOX:

7

FOLDER:

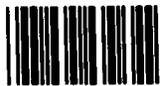
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DESCRIPTION:

Campbell, John

DATE:

03/25/80



99

0687

221 E.E. Price  
D.H. Simons  
Et al

W. Sigerson  
261 B. way

Filed 25 days of March 1880

Pleads ~~Not Guilty~~ Guilty Capital

THE PEOPLE

vs.

B

John Campbell

Felonious Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

D. M. [Signature]

Foreman.

[Signature]  
J. D. [Signature]  
[Signature]

0688

City and County of  
New York

Louis Rosenberg of 248 Mission  
Street, being duly sworn deposes  
and says - That at the City and  
County of New York, on the night  
of the 28<sup>th</sup> day of August 1879  
deponent was violently and feloniously  
assaulted and beaten by one Bagan,  
without any cause or justification,  
who had been tried, convicted and  
sentenced for said offence.

That at said time said Bagan  
and John Campbell, now here,  
together entered the store of  
deponent at the premises above  
named, and asked deponent to  
sell them a hat. That the  
previcer, Campbell, said to deponent  
"I want a hat" and deponent  
then informed him that he had  
none to sell. That said Campbell  
then said to a workman of  
deponent who was in the store  
at the time, "You son of a bitch  
what have you to say?" That  
deponent was then cut and  
wounded under the right eye

0689

with a knife or some sharp instrument in the hands of said Bayan. Whereupon said Bayan and the prisoner John Campbell then ran out of said premises in Company together.

That deponent therefore charges and alleges that said John Campbell did aid, abet and assist the said Bayan in the Commission of said Juvenile Assault and Battery on deponent.

Given to you in this  
21<sup>st</sup> day of March 1884

His  
Louis X Rosenberg  
Mark

J. M. Patterson

Subscribed

0690

Police Court—Third District.

CITY AND COUNTY  
OF NEW YORK, } ss

*John Campbell* being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was  
at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—*John Campbell*

Question.—How old are you?

Answer.—*Seventeen years of age*

Question.—Where were you born?

Answer.—*New York City*

Question.—Where do you live?

Answer.—*676 Water Street*

Question.—What is your occupation?

Answer.—*Coal Pedlar*

Question.—Have you anything to say, and if so, what—relative to the  
charge here preferred against you?

Answer.—*I am not guilty of the charge.*

*John Campbell*

Taken before me, this

*Samuel [illegible]*

0691

221 995  
Form 115.

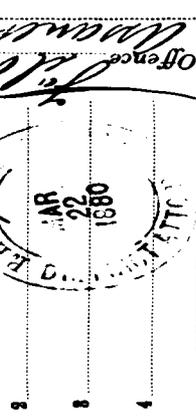
**POLICE COURT—THIRD DISTRICT.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Louis Rosenberg*  
248 Division St.

*John Campbell*



Dated *March 21* 1880

*Paterson* Magistrate.

*Johnson* Officer.

*Walt* Clerk.

Witnesses.

No. *Simon Lazarus* Street.

*29 Trade St*

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

*J. M. G. A.* to answer Committed.

Received in Dist. Atty's Office, *Quinn*

RAILED,  
No. 1, by *Charles Audley*

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

0692

New York April 9, '50

I hereby certify that, some months  
since, I was called to attend Louis  
Rosenburg for an incised wound of  
face. Wound was about one inch  
in length + perhaps half an inch  
deep: not dangerous.

A. B. Bennett M.D.

CITY AND COUNTY }  
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That *John Campbell*

late of the City of New York, in the County of New York, aforesaid, on the *twenty eighth* day of *August* in the year of our Lord one thousand eight hundred and *seventy nine* with force and arms, at the City and County aforesaid, in and upon the body of *Louis Rosenberg* in the peace of the said people then and there being, feloniously did make an assault and *kill* the said *Louis Rosenberg* with a certain *knife* which the said

*John Campbell* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound with intent *kill* the said *Louis Rosenberg* 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 Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said *John Campbell* with force and arms, in and upon the body of the said *Louis Rosenberg* then and there being, wilfully and feloniously did make an assault and *kill* the said *Louis Rosenberg* with a certain *knife* which the said

*John Campbell* in *his* right hand, then and there had and held, the same being then and there a sharp, dangerous weapon, wilfully and feloniously, and without justifiable and excusable cause, did then and there beat, strike, stab, cut, and wound, with intent to *kill* and there wilfully and feloniously do bodily harm unto *him* the said *Louis Rosenberg* against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

*John Campbell* with force and arms, in and upon the body of *Louis Rosenberg* in the peace of the said people then and there being, feloniously, did make another assault and *kill* the said *Louis Rosenberg* with a certain *knife* which the said

*John Campbell* in *his* right hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut, and wound, the same being such means and force as was likely to produce the death of *him* the said *Louis Rosenberg* with intent *kill* the

CITY AND COUNTY }  
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present :

That *John Campbell*

late of the City of New York, in the County of New York, aforesaid, on the  
*twenty eighth* day of *August* in the year of our Lord  
one thousand eight hundred and *seventy nine* with force and arms, at the City and  
County aforesaid, in and upon the body of *Louis Rosenberg*  
in the peace of the said people then and there being, feloniously did make an assault  
and *him* the said *Louis Rosenberg*  
with a certain *knife*  
which the said

*John Campbell*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound  
with intent *him* the said *Louis Rosenberg*  
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *John Campbell* *Louis*  
with force and arms, in and upon the body of the said  
*Rosenberg* then and there being, wilfully and feloniously did make an  
assault and *him* the said *Louis Rosenberg*  
with a certain *knife* which the said

*John Campbell* in *his* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, wilfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously  
do bodily harm unto *him* the said *Louis Rosenberg*  
against the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, the said

*John Campbell*  
with force and arms, in and upon the body of *Louis Rosenberg*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *Louis Rosenberg*  
with a certain *knife*  
which the said

*John Campbell* in *his*  
hand then and there had and held, wilfully and feloniously did beat, strike, stab  
and wound, the same being such means and force as was likely to produce the  
of *him* the said *Louis Rosenberg* with intent *him*

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said *Louis Rosenberg* 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

*John Campbell*  
with force and arms, in and upon the body of the said *Louis Rosenberg* then and there being, wilfully and feloniously, did make another assault and the said *Louis Rosenberg* with a certain *knife* which the said *John Campbell* in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *his* the said *Louis Rosenberg* 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.

~~BENJ. K. PHELPS, District Attorney~~

~~A. P. P. BILL.~~

~~District Attorney~~

~~BENJ. K. PHELPS.~~

~~PHELPS~~

~~Felony Assault and Battery~~

~~Print~~

~~day of~~

~~19~~

~~THE AND COUNTY OF NEW YORK~~

And

<sup>aforsaid</sup> THE JURORS, ~~OF THE PEOPLE OF THE STATE OF NEW YORK~~

~~in and for the body of the City and County of New York~~  
upon their Oath, <sup>aforsaid do further present:</sup>

That

*John Campbell*  
late of the City of New York, in the County of New York, aforsaid, on the *twenty - eighth* day of *August* in the year of our Lord one thousand eight hundred and ~~eighty nine~~ *eighty nine* with force and arms, at the City and County aforsaid, in and upon the body of *Louis Rosenberg* in the peace of the said people then and there being, feloniously did make an assault and ~~him~~ *him* the said *Louis Rosenberg* with a certain instrument and weapon, a description of which ~~is~~ *is* to the jurors aforsaid unknown and cannot now be given, which the said *John Campbell* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound with intent ~~him~~ *him* the said *Louis Rosenberg* 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 Jurors aforsaid, upon their Oath aforsaid, do further present: That afterwards, to wit, on the day and in the year aforsaid, at the City and County aforsaid, the said

*John Campbell*  
with force and arms, in and upon the body of the said *Louis Rosenberg* then and there being, wilfully and feloniously did make an assault and ~~him~~ *him* the said *Louis Rosenberg* with a certain instrument and weapon, a description of which is to the jurors aforsaid unknown and cannot now be given, which the said *John Campbell* in *his* right hand, then and there had and held, the same being then and there a sharp, dangerous weapon, wilfully and feloniously, and without justifiable and excusable cause, did then and there beat, strike, stab, cut, and wound, with intent to then and there wilfully and feloniously do bodily harm unto ~~him~~ *him* the said *Louis Rosenberg* against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT

And the Jurors aforsaid, upon their Oath aforsaid, do further present: That afterwards, to wit, on the day and in the year aforsaid, at the City and County aforsaid, the said

*John Campbell*  
with force and arms, in and upon the body of *Louis Rosenberg* in the peace of the said people then and there being, feloniously, did make another assault and ~~him~~ *him* the said *Louis Rosenberg* with a certain instrument and weapon, a description of which is to the jurors aforsaid unknown and cannot now be given, which the said *John Campbell* in *his* right hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,

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and wound, the same being such means and force as was likely to produce the death of *him* the said *Louis Rosenberg* with intent *kill* the said *Louis Rosenberg* 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

*John Campbell* with force and arms, in and upon the body of the said *Louis Rosenberg* then and there being, wilfully and feloniously, did make another assault and *kill* the said *Louis Rosenberg* with a certain instrument and weapon, a description of which is to the jurors unknown and cannot now be given- which the said

*John Campbell* in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound with intent to then and there wilfully and feloniously maim *him* the said *Louis Rosenberg* 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.

BENJ. K. PHELPS, District Attorney.

A TRUE BILL.  
*John Campbell*  
*John Campbell*  
*John Campbell*  
*John Campbell*

BENJ. K. PHELPS,  
District Attorney

*John Campbell*  
THE PEOPLE  
98.  
P  
Filed 25 day of March 1880  
Pleas  
221  
E. E. Davis  
R. H. Davis  
261 Albany  
Ms. 219  
E. E. Davis

Felonious Assault and Battery.

0698

BOX:

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FOLDER:

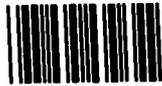
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DESCRIPTION:

Mcglynn, James

DATE:

03/08/80



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0699

**BOX:**

7

**FOLDER:**

99

**DESCRIPTION:**

Carr, John

**DATE:**

03/08/96



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0700

Day of Trial

Counsel,

Filed

day of *March* 1878

Pleads,

*John Carr*  
*James McElynn*

THE PEOPLE

vs.

*2*

BENJ. K. PHELPS,

District Attorney

A True Bill.

*Wm. J. ...*

*(Jed) ... Foreman.*

*John ... Burglar*

*1 Catholic Po!*

*2 Honor of Refuse*

0701

Police Office, Fourth District.

City and County } ss.  
of New York, }

Thomas Gorman

of No. 396 - 2<sup>d</sup> Avenue, Deponent, being duly sworn,  
deposes and says, that the premises No. 396 - 2<sup>d</sup> Avenue  
Street, 18<sup>th</sup> Ward, in the City and County aforesaid, the said being a dwelling house  
and which was occupied by deponent as a dwelling house

were **BURGLARIOUSLY** broke  
and entered by means of breaking open the door leading  
from a hallway to the room occupied by  
deponent on the second floor of said dwelling  
house with the intent to commit a crime  
on the day time of the 26 day of February 1880  
and the following property feloniously taken, stolen and carried away, viz.:

One over coat of the value of 14.00  
One frock coat of the value of 14.00  
One pair of pants of the value of 5.<sup>00</sup>  
in all of the value of \$29.<sup>00</sup>

the property of deponent.  
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 John Carr and James M. Flynn  
(both now here) for the reasons following, to wit:

That said property was  
contained in a room on the second floor  
of the above described premises which  
were securely locked and fastened by  
deponent at about half past 10 o'clock  
on the afternoon of said 26 day of February

that deponent left said room and returned about half past four o'clock of the same afternoon. when deponent found the door of said room had been broken open and the aforesaid property stolen and carried away. That deponent has since seen the said property in the Station house of the 18<sup>th</sup> Precinct and is informed by Officer William F. McGramm that he found the same in the possession of the said Carr and McGlynn.

Thomas Gorman

sworn to before me  
 this 27<sup>th</sup> day of February 1880  
 J. W. [Signature]  
 Police Justice

State of New York } ss William F. McGramm  
 County of New York }  
 City of New York }  
 policeman of the 18<sup>th</sup> Precinct being duly sworn deposes and says: That he arrested John Carr and James McGlynn <sup>both</sup> now in court on the 26<sup>th</sup> day of February 1880 at about 2 o'clock in the afternoon that at the time they had in their possession two coats and a pair of pants which have since been identified by Thomas Gorman as his property and the same that was stolen from his room at No 396 - 2<sup>nd</sup> Avenue on the said 26<sup>th</sup> day of February

Wm F. McGramm

*[Faded handwritten text]*

0703

Police Court, Fourth District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James McElynn* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer. *James McElynn*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *New York City*

Question. Where do you live?

Answer. *435. East 13<sup>th</sup> St*

Question. What is your occupation?

Answer. *I am a pedlar*

Question. Have you anything to say, and if so, what,—relative to the charge here preferred against you?

Answer. *I bought the things from a junkman. I don't know his name. I would know him if I saw him*  
*James McElynn*

*W. M. H. ...*  
Taken before me this *27<sup>th</sup>* day of *September* 188*8*  
Police Justice.

0704

Police Court, Fourth District.

CITY AND COUNTY } ss.  
OF NEW YORK,

*John Carr* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer. *John Carr*

Question. How old are you?

Answer. *14 years*

Question. Where were you born?

Answer. *New York City*

Question. Where do you live?

Answer. *338 First Avenue*

Question. What is your occupation?

Answer. *I work for a pedler*

Question. Have you anything to say, and if so what,—relative to the charge here preferred against you?

Answer. *Mr. Glenn bought the things from a pedler on 19<sup>th</sup> Street and 4<sup>th</sup> Avenue, named Sammy Stephenson.*

*John Carr*

*John Carr*  
Taken before me this 27<sup>th</sup> day of February 1900  
Police Justice

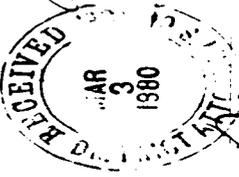
0705

80

Police Court—Fourth District,

THE PEOPLE vs. *M. J. Garman*  
THE COMPLAINT OF

*Thomas Garman*  
*396 W. 5th St. St. Louis, Mo.*  
*John Carr*  
*James McGlynn*  
*Offence, 1st Offense*



BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

Dated *February 24<sup>th</sup>* 1880

*Murray* Magistrate

*McGraw* Clerk

Witness  
*William McGraw* 1874 Dec 4

*W. J. Hill*  
*Com*  
Received in District Atty's Office.

0706

CITY AND COUNTY }  
OF NEW YORK. } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present :

That *John Carr and James McGlynn* each

late of the *Eighth* Ward of the City of New York, in the County of New York aforesaid, on the *twenty sixth* day of *February* -- in the year of our Lord one thousand eight hundred and ~~seventy~~ *eighty* with force and arms, about the hour of *one* o'clock in the *day* time of the same day, at the Ward, City and County aforesaid, the dwelling house of *Thomas Gorman* there situate, feloniously and burglariously, did break into and enter ~~by means of force~~

by the said *John Carr and James McGlynn* -- then and there intending to commit some crime therein, to wit: the goods, chattels and personal property of *Thomas Gorman* in the said dwelling house 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.

And the jurors aforesaid, upon their oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, the said *John Carr and James McGlynn* each, late of the Ward, City and County aforesaid;

*Two coats of the value of fourteen dollars each*

*One pair of pantaloons of the value of five dollars*

of the goods, chattels, and personal property of the said *Thomas Gorman* in the said dwelling house then and there being, 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.

And the Jurors aforesaid, upon their oath aforesaid, do further present

That

John Carr and James Mc Glyn each

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, at the Ward, City, and County aforesaid,

Two coats of the value of fourteen dollars each -

One pair of pantaloons of the value of five dollars

of the goods, chattels, and personal property of

Thomas Hornan

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

Thomas Hornan

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

John Carr and James Mc Glyn

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

BENJAMIN K. PHELPS, District Attorney.

0708

BOX:

7

FOLDER:

99

DESCRIPTION:

Carre, Marie

DATE:

03/25/80



99

0709

*220 W.C.*

TRIAL FOR

COUNSEL,

Filed *25* day of *March* 1850

Pleas *Not Guilty*

*Indictment for Disorderly House.*

THE PEOPLE

vs.

*B*

*Marie Case*

BENJ. K. PHELPS,

*District Attorney.*

A True Bill.

*Wm. Turner*

Foreman.

*April 6. 1850.*

*He is guilty.*

*Indictment suspended.*

0710

Police Court, Second District.

CITY AND COUNTY } ss.  
OF NEW YORK.

*Kavir Mougou* of No. *141 Mott* Street,  
being sworn, doth depose and say, that the premises known as number *2<sup>nd</sup> and 3<sup>rd</sup> floors of 141 Mott*  
Street, in said City and County, and occupied or kept by

*Marie Carre* on the *19<sup>th</sup>* day of *March*  
*1880*

is a disorderly house, namely, a resort for tipplers, drunkards, common prostitutes, and reputed thieves, with other vile, wicked, idle, dissolute, and disorderly men and women, and reputed thieves, who, or most of whom, are in the practice of drinking, dancing, quarreling and fighting, at almost all hours of the day and night, to the great disturbance of the public peace, the annoyance of the neighborhood, and the violation of public order and decency.

Deponent therefore prays, that the said *Marie Carre*  
and all vile, disorderly and improper persons found upon the premises, occupied by said

*Marie Carre*  
may be dealt with as the law in such cases made and provided may direct; and further saith not.

Sworn before me, this *19* day }  
of *March* *1880* } *K. Mougou*

*Marcus A. ...*  
Police Justice.

0711

Police Court, Second District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Kavies Mougien* of No. *141 Wooster* Street,  
being sworn, doth depose and say, that the premises known as number *2<sup>nd</sup> and 3<sup>rd</sup> floors of 141 Wooster*  
Street, in said City and County, and occupied or kept by

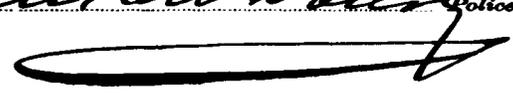
*Marie Carre* on the *19<sup>th</sup> day of March*  
*1880*

is a disorderly house, namely, a resort for tipplers, drunkards, common prostitutes, and reputed thieves, with other vile, wicked, idle, dissolute, and disorderly men and women, and reputed thieves, who, or most of whom, are in the practice of drinking, dancing, quarreling and fighting, at almost all hours of the day and night, to the great disturbance of the public peace, the annoyance of the neighborhood, and the violation of public order and decency.

Deponent therefore prays, that the said *Marie Carre*  
and all vile, disorderly and improper persons found upon the premises, occupied by said

*Marie Carre*  
may be dealt with as the law in such cases made and provided may direct; and further saith not.

Sworn before me, this *19* day }  
of *March* 18*80* } *K. Mougien*

*Maxim O'Connell* Police Justice.  


0712

220

305

POLICE COURT—SECOND DISTRICT.

THE PEOPLE, & c.

ON THE COMPLAINT OF

Xavier Mougier  
141 West 1st St

vs.

Marie Carre

AFFIDAVIT. Disorderly House.

Dated March 19 1888  
Otterbein  
Murray  
Magistrate.  
Officer.

Witness,  
August Tourneville  
142 West Street

\$ 300. T. A. Sewald

C. M.

Bailed by Frank Manner  
19.23 West Street

0713

CITY AND COUNTY } ss.  
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York,*  
*upon their Oath, present:*

That *Marie Carre*

late of the *eightth* Ward of the City of New York, in the County of  
New York, on the *nineteenth* day of *March* in the year of  
our Lord one thousand eight hundred and ~~seventy~~ *eighty* and on divers other days  
and times, between that day and the day of the taking of this Inquisition, at the City  
and Ward, and in the County aforesaid, did keep and maintain, and yet continue to  
keep and maintain, a certain common, ill-governed and disorderly house, and in  
*her* said house, for *her* own lucre and gain, certain persons, as  
well men as women, of evil name and fame, and of dishonest conversation, to frequent  
and come together, then and on the said other days and times, there unlawfully and  
wilfully did cause and procure, and the said men and women, in *her*  
said house, at unlawful times, as well in the night as in the day, then and on the said  
other days and times, there to be and remain, drinking, tippling, gambling, rioting,  
disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully,  
did permit, and yet continues to permit, to the great damage and common nuisance of  
the People of the said Ward, there inhabiting and residing, and of all the people there  
passing, to the evil example of all others in the like case offending, and against the  
peace of the People of the State of New York, and their dignity.

**BENJ. K. PHELPS, District Attorney.**

0714

BOX:

7

FOLDER:

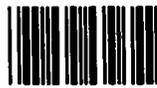
99

DESCRIPTION:

Carroll, Joseph

DATE:

03/15/80



99

0715

133

*North*

Counsel,

Filed 15 day of March 1880

Pleads for Guilty (April 6/80)

Larceny, and Receiving Stolen Goods.

THE PEOPLE

vs.

*L. P.*

*Joseph Campbell*

*Conceded Guilty*

BENJ. K. PHELPS,

April 12 1880. District Attorney.

*James Conrad Spofford*

*Paul C. ...*

A True Bill.

*J. W. ...*

Foreman.

*J. W. ...*

0716

Form 112.

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

Police Court—First District.

*Oriskany Street between Silver &  
Cottage Streets, Bergen Point*

*John O'Connor*

Street, being duly sworn, deposes  
and says, that on the *14<sup>th</sup>* day of *January* 18*80*

at the City of New York, in the County of New York, was feloniously taken, stolen, and carried  
away from the possession of deponent, *and from deponent's person*

the following property, viz: *One silver watch and plaited chain  
and one wooden Pipe in all*

of the value of *twenty four* 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 *Joseph Carroll (now here)*  
for the reason that while deponent was on ~~way~~  
*Battery Place* in said city deponent missed  
the aforesaid property from the pockets of the  
clothes then and there worn by him  
subsequently at the station House of the  
*2<sup>nd</sup>* Precinct deponent saw the aforesaid  
property in the possession of said defendant  
Wherefore deponent charges said defendant  
with taking, stealing and carry away from  
the person of deponent the aforesaid  
property

*John O'Connor*  
his  
mark

Sworn to, before me, this

of *Edward*

18*80*

day

*J. M. ...*

Police Justice.

0717

Form 112.

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

Police Court—First District.

*Oriskany Street between Silver &  
Cottage Streets, Bergen Point*

*John O'Connor*

Street, being duly sworn, deposes  
and says, that on the *14<sup>th</sup>* day of *January* 18*80*  
at the City of New York, in the County of New York, was feloniously taken, stolen, and carried  
away from the possession of deponent, *and from deponent's person*

the following property, viz: *one silver watch and plated chain  
and one wooden Pipe in all*

of the value of *twenty four* 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 *Joseph Carroll (now here)*  
for the reason that while deponent was on ~~way~~  
*Battery Place* in said city deponent missed  
the aforesaid property from the pockets of the  
clothes then and there worn by him  
subsequently at the station house of the  
*27<sup>th</sup> Precinct* deponent saw the aforesaid  
property in the possession of said defendant  
wherefore deponent charges said defendant  
with taking stealing and carry away from  
the person of deponent the aforesaid  
property

*John O'Connor*  
mark

Sworn to, before me, this

of *McCauley*

18*80*

day

*J. J. McCall*

Police Justice

0718

City and County }  
of New York } ss

Henry Fenker of the 27<sup>th</sup>  
Precinct Police being duly sworn says that  
at or about the hour of 6.15 PM on the 14<sup>th</sup> day  
of January <sup>1880</sup> deponent saw the complainant  
having hold of Joseph Carroll (now here) on  
Battery Place in said city and said complainant  
accused said Carroll with taking the  
property described in the foregoing affidavit  
from his person and in the presence of deponent  
deponent saw said complainant take the pipe  
from said Carroll's pocket subsequently  
at the station House deponent found the  
aforesaid watch concealed upon the person  
of said Carroll and said complainant  
(James Connor) fully identified said property  
as his which was taken stolen and carried  
away from his said Connor's person

sworn to before me this  
15 day of January 1880

Henry Fenker

*[Signature]*  
Police Justice.

0719

Police Court—First District.

CITY AND COUNTY } ss.  
OF NEW YORK.

*Joseph Carroll* being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was at  
liberty to refuse to answer any question that may be put to him, states as follows,  
viz:

Question. What is your name?

Answer. *Joseph Carroll*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *Ireland*

Question. Where do you live?

Answer. *43' St*

Question. What is your occupation?

Answer. *Fireman*

Question. Have you anything to say, and if so, what—relative to the charge

here preferred against you?

Answer. *The man gave  
me his watch yesterday  
to keep for him.*

*Joseph Carroll*

Taken before me, this

day of

*January* 1880

*Richard*  
Police Justice.

0720

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

153

Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Connor  
Print & bet dealer.

1111 1/2 St. N. W. Wash. D. C.

Joseph Carroll

BAILED:

No. 1, by

William W. Phillips

Residence,

1516 Washington for Market

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

A Misdavit—Larceny.



Dated,

15 January 1880

W. B. ...

Guillem ...

Magistrate. Officer. Clerk.

Witnesses:

to answer

Sessions

at Dist. Atty's office

200/5

0721

Form 112.

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

Police Court—First District.

*Oriskany Street between Sixth &  
Cottage Streets, Bergen Point*

*John O'Connor*

Street, being duly sworn, deposes  
and says, that on the *14<sup>th</sup>* day of *January* 1880  
at the City of New York, in the County of New York, was feloniously taken, stolen, and carried  
away from the possession of deponent, *and from deponent's person*

the following property, viz: *one silver watch and plated chains  
and one wooden Pipe in all*

of the value of *twenty four* 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 *Joseph Carroll (now here)*  
for the reason that while deponent was on ~~way~~  
Battery Place in said city deponent missed  
the aforesaid property from the pockets of the  
clothes then and there worn by him  
subsequently at the station House of the  
*27<sup>th</sup>* Precinct deponent saw the aforesaid  
property in the possession of said defendant  
wherefore deponent charges said defendant  
with taking, stealing, and carry away  
the person of deponent the aforesaid  
property.

*John O'Connor*  
mark

Sworn to, before me, this

of

*James J. ...*

1880

day

*J. J. ...*

Police Justice

0722

City and County }  
of New York } ss

Henry Fenker of the 27<sup>th</sup>  
Precinct Police being duly sworn says that  
at or about the hour of 6.15 P.M. on the 14<sup>th</sup> day  
of January <sup>1880</sup> deponent saw the complainant  
having hold of Joseph Carroll (now here) on  
Battery Place in said city and said complainant  
accused said Carroll with taking the  
property described in the foregoing affidavit  
from his person and in the presence of deponent  
deponent saw said complainant take the pipe  
from said Carroll's pocket subsequently  
at the station House deponent found the  
aforesaid watch concealed upon the person  
of said Carroll and said Complainant  
(James O'Connor) fully identified said property  
as his which was taken stolen and carried  
away from his said O'Connor person

sworn to before me this  
15 day of January 1880

Henry Fenker

  
Police Justice.

0723

21521

The People  
vs.  
Joseph Carroll  
Indictment  
for grand larceny and receiving stolen  
goods.

Court of General Sessions. Before  
Judge Gildersleeve. April 12. 1880.  
John O'Connor, sworn and examined,  
testified. I live in Bergen, N.J.; on the 14<sup>th</sup>  
of January last in the evening about six  
o'clock I was going on towards Brooklyn. As  
far as I could judge it was close on to  
Battery Place, I met the prisoner, he stopped me,  
he told me to come along with him. I told  
him I knew nothing about him. Then I felt  
my vest get a jerk, I put down my hand  
and I missed the watch. I caught hold of him  
and held him until the policeman came.  
The policeman searched him, and he could  
find nothing with him; he took us to the  
station house, and the first thing I saw  
come out of his pocket was a pipe; it was  
taken out of Carroll's pocket. I told the officer  
it was mine; the officer got the watch in  
the prisoner's sleeve. I identified "the watch  
before I seen it at all; it was worth twenty  
four dollars; the chain was brass and  
of no value. I never saw the prisoner  
until I saw him there. When I first met  
the prisoner I felt a jerk at my watch. He  
told me in the station house to say that I  
gave him the watch, so as to get him out

0724

for his family's sake. I told him I could do nothing of the sort - that the officer had all to do with it. Cross examined this is the first time I made that statement. I did not make it in the police station or before the Grand Jury. I was not asked such questions. I left Bergen about 8 o'clock in the morning and came to New York. I went to Washington Market. I could not tell how long I was at the market. I drank some beer and whiskey both. I do not deny. I had more than one or two drinks. I did not meet Mr. Carroll at 3 o'clock in the afternoon. I never saw him in my life before that evening. I had my pipe in my outside coat pocket. The prisoner wanted me to go along. I don't know where he wanted to bring me. I was on my way to Brooklyn at the time; the watch and chain were taken from me while I was standing; it might have been five minutes that I was standing. I felt the pull on my vest; the watch and chain were not returned to me. I saw it in Court next day. Henry Tucker sworn. I am a policeman and arrested the prisoner on the 14<sup>th</sup> of January about 6.15. I saw the complainant having hold of the prisoner claiming that the prisoner took his watch

0725

I crossed over there; the complainant was very intoxicated. I asked the prisoner if he had his watch? He said, "no, I don't know the man;" he persisted in saying that the man had his watch. I felt over the prisoner's overcoat pocket, and the complainant put his hand in and took out a pipe; he claimed it as his. I took him to the station house and searched him; the first thing I found was a small pocket knife in the right hand overcoat pocket and a brass chain, and after searching the other side I searched the second time and found the watch with a link of a chain wrapped up in a red handkerchief; the watch was identified by the complainant; the watch is at the property clerk's. Joseph Carroll, sworn and examined testified in his own behalf. I am 28 years old and live in West Forty Third St. I am married and have a family. I am employed as fireman on the Old Colony line of steamers. On the evening of my arrest I was standing on the corner of West and Liberty Sts. O'Connell came along and asked me to come and have a drink; we went in and had a drink together; he bought some things at the market and put them in a basket; we went and had another drink at the

0726

corner of Fulton and Washington St. He was pretty full, and the man told him to keep still and get sober. He took his watch out and rolled it up in a handkerchief and said, "Keep this for my son John, I might lose it." "All right" I says. I walked down to Battery Place, he "seen" a policeman, he called me over, he said, Give me the watch. I said, No. With that he got me arrested. I delivered the watch up in the station house. We were smoking together, I suppose I had the pipe in a mistake. I had been drinking myself. William M Phillips sworn. I am in the butter and cheese business in Washington Market going on nine years, I live 240 East Seventy eighth St. I know the prisoner far all between eight and nine years. I have never known him to be arrested before, his reputation for honesty is good; he is a fireman on the Fall River line. Thomas Carolan sworn. I am in the liquor business corner of 42<sup>nd</sup> St. and 10<sup>th</sup> avenue. I have known the prisoner four or five years, I used to see him after he returned from a voyage on the steamer. He was a straightforward man to my knowledge. Micheal Carr, John M Caven and Charles Lehne testified to his good character. The jury rendered a verdict of guilty of petty larceny. Six months penitentiary.

0727

Testimony in the case of  
Joseph Carroll  
filed March 15.

0728

CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That

Joseph Carroll

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

One watch of the value of twenty  
dollars -

One chair of the value of four  
dollars -

One pipe of the value of four  
dollars

of the goods chattel and personal  
property of John O'Connor on the  
person of the said John O'Connor  
then and there being found from  
the person of the said John O'Connor

~~of the goods, chattels, and personal property of one~~

then and  
there ~~being found~~, 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.

0729

*And the Jurors aforesaid, upon their oath aforesaid, do further present*

**That** the said

*Joseph Carroll*

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

*One watch of the value of twenty dollars*

*One chain of the value of four dollars*

*One pipe of the value of four dollars*

of the goods, chattels, and personal property of the said

*John O'Connor*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

*John O'Connor*

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

*Joseph Carroll*

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

**BENJAMIN K. PHELPS, District Attorney.**

0730

BOX:

7

FOLDER:

99

DESCRIPTION:

Clark, John

DATE:

03/05/80



99

Counsel,  
Filed 5 day of March 1880  
Pleads

THE PEOPLE  
vs.  
John Blair  
25 April 1880  
118 W. 1st St.  
2 Case

Indictment, Larceny

BENJ. K. PHELPS,  
District Attorney.

A True BILL.  
J. W. Gardner  
Foreman.

Part No March 5, 1880  
pleads guilty.  
S.P. three years.

0732

Police Department of the City of New York,

Precinct No. 29.

New York, March 8, 1880.

Complainants against John Clark, indicted for Grand Larceny.

Calvin T. Adams, Young Men's Christian Ass. Residence 196 Columbia Heights, Brooklyn Overcoat

Louis Timberlake, Young Men's Ch. Ass. 4 No. 23 St. Overcoat.

Leonard L. Marse, No. 58 West 12 St. Overcoat

Rev. Gabriel A. Healy 328 West 14 St. Cloak, Barretta, gold Pencil, cane,

William E. Bloodgood No. 16 West 12 St. Overcoat,

Rev. David B. Jutten 418 West 19 St. Overcoat, Ladies Ulster & Hat.

William Doty 228 Thompson St. Ladies Watch.

Respectfully

Max F. Schmittberger

Detective 29<sup>th</sup> Precinct.

0733

FORM 89 1/2

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

ss.

POLICE COURT—SECOND DISTRICT.

of No. 16 West 12 Street, being duly sworn, deposes  
and says, that on the 26 day of February 1880

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

war of said premises  
the following property, to wit:

One Over Coat

of the value of Twenty Eight 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 Clark (now  
here) for the reasons following:  
That on the said date deponent  
missed the said property and  
was informed by Eyre Bloodgood  
that on the said date said Eyre  
Bloodgood admitted the said  
deponent at the hall door of  
said premises, and while delivering  
a letter brought by said deponent  
said deponent left said prem-  
ises immediately thereafter said  
property was missed  
Eyre Bloodgood

Sworn to before me, this

26th day

of March 1880

William H. Tracy  
Police Justice.

0734

City and County  
of New York

Ezra Bloodgood of No 16 West 12<sup>th</sup> Street  
being duly sworn says on the 25<sup>th</sup> day  
of February 1880 deponent admitted  
John Clark the within named defend-  
ant at the Hall door of said premises  
and received from him a letter - de-  
ponent left said Hall to deliver said  
letter and on returning found said de-  
pendant had left and missed the  
property named in the within com-  
plaint ✓

Ezra Bloodgood  
Sworn to before me this  
1<sup>st</sup> day of March 1880

Police Justice

City and County  
of New York } S.S.

Chas F. Schmittberger of the 29<sup>th</sup> Pre-  
cinct being duly sworn says on  
the 28<sup>th</sup> day of February 1880  
deponent found the Person Ticket  
representing the property named in  
the within complaint in the pos-  
session of John Clark the within  
named defendant ✓

Sworn to before me this M. F. Schmittberger  
1<sup>st</sup> day of March 1880

Miriam Altshuler  
Police Justice

0735

Police Court—Second District.

CITY AND COUNTY }  
OF NEW YORK, }

*John Clark* being duly examined before the undersigned, according to law, on the annexed charge ; and being informed that he is at liberty to refuse to answer any question that may be put to him states as follows, viz. :

Question.—What is your name ?

Answer.—

*John Clark*

Question.—How old are you ?

Answer.—

*Twenty Three years*

Question.—Where were you born ?

Answer.—

*Montreal*

Question.—Where do you live ?

Answer.—

*118 Macdougall*

Question.—What is your occupation ?

Answer.—

*Druggist*

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you ?

Answer.—

*I have nothing to say*

*John Clark*

Taken before me, this

day of *March*

*1900*

0736

POLICE COURT—SECOND DISTRICT.

THE PEOPLE, &c.,  
VS. COMPLAINT OF

*James E. P. [unclear]*  
16 Nov 12 1-11-11

*John C. Clark*

DATED *16 Nov 12* at *Boston*

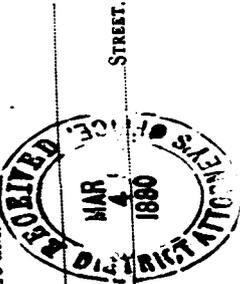
*Attorney* MAGISTRATE.

*Schmitt* OFFICER.

WITNES:

*Eugene Washburn*  
*16 No 12 Street*  
*Augusta Schmitt*  
*29 79 Second*

PAID BY *50* TO ANS *S. [unclear]*



STREET.

0737

CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That

*John Clark*

late of the First Ward of the City of New York, in the County of New York, afore-  
said, on the ~~thirtieth~~ *thirty sixth* day of ~~February~~ *February* in the year of our Lord one  
thousand eight hundred and ~~seventy~~ *eighty* at the Ward, City and County  
aforesaid, with force and arms

*One coat of the value of twenty Eight  
dollars*

of the goods, chattels and personal property of one

*William E. Bloodgood*

then and  
there being found, 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.

**BENJ. K. PHELPS, District Attorney.**

0738

BOX:

7

FOLDER:

99

DESCRIPTION:

Clark, Daniel

DATE:

03/10/80



99

0739

**BOX:**

7

**FOLDER:**

99

**DESCRIPTION:**

Johnson, William

**DATE:**

03/10/80



99

0740

103rd  
W. H. Phelps

Counsel,

Filed 10 day of March 1880

Pleads, *in* *guilty*

Robbery—First Degree, and Receiving Stolen Goods.

THE PEOPLE

vs.

*Daniel Colard*

*D. P.*

*William Musson*

BENJ. K. PHELPS,

District Attorney.

Set for April 6, 1880

for 2 trials, arraigned

of an attempt to commit Robbery in the first degree.

A True Bill.

*W. H. Phelps*

*W. H. Phelps*  
Foreman.

*W. H. Phelps*

*W. H. Phelps*  
Apr 5, 1880

0741

Form 123.

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

ss.:

Police Court - Second District.

*Morris Cohen*

of No. *178 - 17th Avenue* Street, being duly sworn, deposes and says,

that on the *6* day of *March* 18*80*

at the City of New York, in the County of New York, was feloniously taken, stolen, and carried away from the person of deponent, by force and violence, and against the will of deponent, the following property, viz.:

*A Pocket Book containing good and lawful money viz - Three National Bank Bills of the denomination of Five dollars each and other Bills of smaller denomination and being in all*

of the value of *Twenty Five* Dollars the property of *deponent and Hyman Garlick's* partners

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, and against his will, by

*Daniel Clark, William Johnson and another man unknown to deponent and who escaped. That said defendants on the said date came to deponents store in the Basement of said premises and by force and violence and against the will of deponent took the said property from the right hand pocket of the pants worn upon the person of deponent - that said defendant*

*Sworn to before me this 18th day of March 1880*

*Police Justice*

0742

Clark struck deponent on the head and  
said defendant Johnson and said un-  
known man held deponents ~~hands~~ while  
the defendant <sup>Clark</sup> took from deponents  
pocket the said property as aforesaid  
Deponent while endeavoring to re-  
cover said property and prevent said  
Clark from passing the said property  
to said unknown man was bitten  
on the hands by said Clark - said  
unknown man then ran away -  
Deponent thereafter recovered said  
property from the said Clark and  
immediately thereafter the said  
defendants Clark and Johnson  
were arrested -

Sworn to before me { Morris <sup>his</sup> Cohen  
this 4<sup>th</sup> day of March 1880 } mark  
Police Justice

0743

Police Court—Second District.

CITY AND COUNTY }  
OF NEW YORK. } RR.

*Daniel Clark*

being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him states as follows, viz.:

Question.—What is your name?

Answer.—

*Daniel Clark*

Question.—How old are you?

Answer.—

*Twenty five years*

Question.—Where were you born?

Answer.—

*New York City*

Question.—Where do you live?

Answer.—

*38 West 3<sup>rd</sup> Street*

Question.—What is your occupation?

Answer.—

*Carpenter*

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

*I am not guilty of  
the charge*

*Daniel Clark*

Taken before me, this  
*Miriam O'Sullivan*  
day of *March* 18*82*  
Police Justice.

0744

Police Court—Second District.

CITY AND COUNTY  
OF NEW YORK.

*William Johnson*

being duly examined before the

undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz.:

Question.—What is your name?

Answer.—

*William Johnson*

Question.—How old are you?

Answer.—

*Twenty Four years*

Question.—Where were you born?

Answer.—

*New York*

Question.—Where do you live?

Answer.—

*38 West 3<sup>d</sup>*

Question.—What is your occupation?

Answer.—

*Moulder*

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

*I am not guilty of the charge*

*William Johnson*

Taken before me, this  
*Merrin Clark*  
day of *March* 1859  
Police Justice.

0745

103

Form 128  
POLICE COURT—SECOND DISTRICT.

THE PEOPLE, & C.,  
OF THE COMPLAINT OF  
Morris Cohen  
178 7<sup>th</sup> Ave.  
Daniel Clark  
William Johnson

Affidavit—Robbery.

New March 7 1880

Herborny  
Brack  
Magistrate.  
Officer

James Brack  
16<sup>th</sup> Street  
Samy Cohen  
178<sup>th</sup> - 7<sup>th</sup> Avenue

1200 to 0745.  
Dated by  
No. Comi



0746

10.2.14  
The People's Court of General Sessions. Before Judge  
Daniel Clark. Opening March, 15. 1880. Indictment  
for robbery in the first degree and receiving stolen goods.  
Morris Choera, sworn and examined, testified I am the complainant; my place of  
business is 178 Seventh Ave. between 20 and  
21<sup>st</sup> Sts. on the west side. I remember the 6<sup>th</sup>  
March, Saturday night 11 o'clock; three men  
came in, Clark, Johnson and another man  
and a gang was outside; my daughter, my  
wife and myself were in the basement when  
they came in. I keep a stock of goods there; all  
three of them asked for shoes; my daughter said,  
"Sit down, and I will attend you;" they said,  
"Never mind, we can attend ourselves. If  
you sit down, my daughter said, I can attend  
you better;" they commenced to curse her. I  
said, "If you want to curse, you have got to  
clear out, I don't want you to curse here; if  
you want to buy, sit down and we will at-  
tend you." Clark gave me a blow in the  
head with his hand and the other two came  
and held my hand. Clark went over my  
pocket and took out a pocket book. I would  
not let him go with the pocket book; they  
knocked me to the wall by the door, through  
fighting I got my pocket book back; they  
wanted to take it back again and  
they beat and scratched me on the hand.

0747

I had the pocket book in my hand. I told them you can bite as much as you please, you can never get the pocket book again. I stated there was only \$25 in the pocket book, so as to be sure, but there was \$32 in it. They would not let anybody go out for a policeman and the gang pushed her back again. I wanted to send my little daughter, another girl, she should creep through and they would not let her go for a policeman. Finally, this one in Court she got out and ran for an officer I wanted to send to the station house for an officer, but she met one right on the corner; he came there; the station house is around the corner half a block. The officer came & they tried to skip away; one got away and the policeman caught him in the front steps. Daniel Clark was still fighting with me until he seen the officer; then he let go of me. They had no intention to buy any shoes because when they were searched at the station house they had no money. I never saw these persons before they came in there that night. Cross examined. The men all asked for shoes at the same time, and they went right away to the shelf and took the shoes. I did not give them a chance to carry away any shoes; we have new and second hand shoes.

I was so excited that I do not know whether or not I made a complaint at the station house that I was robbed. I cannot remember what I did say. When I came to Jefferson Market Court in the morning the excitement was a little off. I don't know the difference between a robbery and an assault. Clark took out the pocket book. I saw him do it. Fanny Hoer sworn and examined, testified to the fact of the men coming into the basement and narrated the same circumstances testified to by her father. Daniel Clark, sworn and examined in his own behalf testified that on the evening of the 6<sup>th</sup> of March he was on Seventh Avenue between 20<sup>th</sup> and 21<sup>st</sup> Sts. about 10 o'clock and in company with two young men entered Mr. Choer's place; one of the young men enquired for a pair of shoes; he was a little bit under the influence of liquor; the young lady asked him to sit down and she would attend to him. The father, who was near the door, said, "No, no, he would not have us in the place; we had some angry words there. I believe the young man had his wages, seven or eight dollars; this is the young man who was not caught; Mr. Choer struck Johnson and Johnson struck him back; he grabbed me and tore the sleeve out of my shirt; we stayed there a little while and the officer came in and arrested

0749

us. As sure as God is my Judge I never put my hand in his pocket or attempted to. He first grabbed me by the throat and then by the arm; he made only a charge of assault against me and I wanted to enter a counter charge against him; the coat was hanging off my back; the first time I heard the charge of robbery was at the Jefferson Market Court when they read the commitment to me. Cross Examined George Hayes is the name of the young man that was with Johnson and me. I do not know where he is and cannot tell where he can be found. Neither Johnson or myself had any money when we were arrested. I live 38 West Third St. Johnson lodges with me. Mr Blair, a sergeant of police, testified that he was in charge of the station house when the complainant and prisoners came in; Mr. Choene stated how he had been assaulted and beaten and his wife also. Clark then said he wanted to make a charge against him, for he had been assaulted; his coat was considerably torn; I thought the prisoners were the aggressors and locked them up on a charge of assault and battery; the complainant did not say anything about the robbery of a pocket book. Officer Cairns testified to the arrest. Mr Johnson, the other prisoner, was also examined. The jury rendered a verdict of guilty of an attempt at robbery.

0750

Testimony in the case  
of  
Daniel Clark  
filed March

0751

CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present :

That *Daniel Clark and William Johnson*  
*each*

late of the First Ward of the City of New York, in the County of New York aforesaid,  
on the *sixth* day of *March* in the year of our Lord  
*one thousand eight hundred and ninety eight* at the Ward, City and County  
aforesaid, with force and arms, in and upon one *Morris Cohen*  
in the peace of the said People then and there being, feloniously did make an assault and

of ten dollars each : eighty 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 : ninety 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 three dollars, and of the value of three dollars each : one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each : one hundred and twenty 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 : one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars : one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars : two 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 twenty 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 ten dollars each : ten 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 : ten 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 three dollars each : fifteen 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 two dollars each : thirty 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 one dollar each : bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each : three gold coins (of the kind usually known as eagles), of the value of ten dollars each : six gold coins (of the kind usually known as half eagles), of the value of five dollars each : fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each : ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each : thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each : gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each : sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each : one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each : three hundred silver coins (of the kind usually called dimes), of the value of ten cents each : six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each : one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each : silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each : five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each : two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each : five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

*one percent* boost of the value of *any* dollar  
of the goods, chattels, and personal property of the said *Morris Cohen*

from the person of said *Morris Cohen* and against  
the will and by violence to the person of the said *Morris Cohen*  
then and there violently and feloniously did rob, 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.

*Buysse Phelps.*  
District Attorney

220

0752

~~And the Jurors aforesaid, upon their oath aforesaid, do further present  
That the said~~

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

~~of the goods, chattels, and personal property of the said~~

~~by~~

~~and certain other persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said~~

~~unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said~~

~~them and there well knowing the said goods, chattels, and personal property, to have been feloniously  
stolen) against the form of the Statute in that behalf made and provided, and against the peace of the  
People of the State of New York, and their rights.~~

~~BENJAMIN H. THOMPSON, District Attorney.~~

0753

**BOX:**

7

**FOLDER:**

99

**DESCRIPTION:**

Clark, James

**DATE:**

03/31/80



99

242

Counsel,  
Filed 31 day of March 1880.  
Pleads

INDICTMENT  
 Taken from the Person  
 in the City of New York

THE PEOPLE  
 vs.  
 James Clark

BENJ. K. PHELPS,  
District Attorney.

A True Bill.  
John T. ...  
Foreman.

Part in Hand 31. 1880  
Pleads 9 L.  
24. 6 mos. 1880

0755

FORM 89 1/2

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

ss.

POLICE COURT—SECOND DISTRICT.

of No. *2 West 57th* Street, being duly sworn, deposes  
or about *18* day of *February* 18*80*

at the City of New York, in the County of New York, was feloniously taken, stolen and carried  
away, from the possession of deponent, *and from deponents*  
*person*

the following property, to wit:

*One Gold Watch and*  
*one plated Chain together*

of the value of *Fifty* 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

*James Clark*  
*(own here) for the reasons following*  
*that deponent on the said date*  
*deponent was lying on a Settee in*  
*the Hall known as Wendell's Assem-*  
*ly Rooms in West 44th Street at*  
*which time the said property was*  
*contained in the left hand pocket*  
*of the best then and there worn by*  
*deponent - Deponent was informed*  
*by Charles H. Smith - that at the*  
*stated time and place - said Smith*  
*saw said deponent - take said*

*James Clark*

*Police Justice*

0756

property from the said Vest pocket while  
deponent was lying asleep on said  
settee that at the time said Smith believ-  
ed said defendant to be a friend of de-  
ponent and endeavored to awaken de-  
ponent - but did not succeed -  
Deponent therefore charges said defend-  
ant with the said larceny

Sworn to before me this John Phillips  
27 day of March 1880 }  
Alfred H. Smith  
Police Justice

City and County of  
New York } 52

Charles B. Smith of No. 343 - West 36<sup>th</sup>  
Street being duly sworn says - he has  
heard the within affidavit read, and  
that the portion of the same which re-  
fers to deponent is true of deponent's  
own knowledge -

Sworn to before me this Alfred H. Smith  
27 day of March 1880 }  
Police Justice

0757

Police Court—Second District.

CITY AND COUNTY }  
OF NEW YORK, } RR.

*James Clark* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz.:

Question.—What is your name?

Answer.—

*James Clark*

Question.—How old are you?

Answer.—

*Twenty five years*

Question.—Where were you born?

Answer.—

*Wilmington N.C.*

Question.—Where do you live?

Answer.—

*145-M 32*

Question.—What is your occupation?

Answer.—

*Coachman*

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

*charge I am guilty of the*

*James B. Bull's*

Taken before me, this

*[Signature]*  
day of *April*, 188*8*  
Police Justice.

0758

242

Form 49.  
POLICE COURT—SECOND DISTRICT

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*John H. Phillips*  
*24 W 57 St*  
*James Clark*

*Ardayit* Larceny.

DATED *March 27* 1880

*Duffy* MAGISTRATE.

*Schmitzenger* OFFICER.  
*Co. Office*

WITNES:  
*29*  
*May W. Schmitzenger*  
*Central Office*  
*Charles W. Smith*  
*343 N. 36 Street*

*500* TO ANS. *HJS*  
BAILED BY \_\_\_\_\_  
No. \_\_\_\_\_ STREET.  
RECEIVED  
MAR 29 1880  
CLERK'S OFFICE

0759

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York,*  
*upon their Oath, present:*

That *James Clark*.

late of the First Ward of the City of New York, in the County of New York aforesaid,

on the *Eighteenth* day of *February* in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *Eighty* at the Ward, City and County  
aforesaid, with force and arms *in the night time of said day*

*One watch of the value of forty dollars,*  
*One chain of the value of ten dollars.*

of the goods, chattels and personal property of one *John H. Phillips*  
on the person of the said *John H. Phillips* then and there being found,  
from the person of the said *John H. Phillips* 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.

**BENJ. K. PHELPS, District Attorney.**

0760

**BOX:**

7

**FOLDER:**

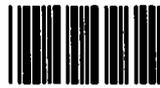
99

**DESCRIPTION:**

Clark, John

**DATE:**

03/10/80



99

0761

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Counsel,

Filed 10 day of March 1880

Pleas

Larceny, and Receiving Stolen Goods.

THE PEOPLE

vs.

*John blank*

(2 cases)

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*L. H. Johnson*

Foreman.

*Sub to S. L. P.*

March 8/80

*Pat 12*

0762

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

FORM 89 1/2

POLICE COURT—SECOND DISTRICT.

of No. 38 E. 29<sup>th</sup> St Street, being duly sworn, deposes  
and says, that on the 27<sup>th</sup> day of February 1880  
at the City of New York, in the County of New York, was feloniously taken, stolen and carried  
away, from the possession of deponent, from the Cook Room  
of the Young Men's Christian Association  
the following property, to wit:

Five Overcoats  
together

of the value of Twenty Dollars,  
the property of Lewis G. Lawrence and  
Carvin J. Adams — and in depo-  
nents care and charge

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 Clark  
(now here) for the reasons follow-  
ing — that deponent was inform-  
ed by Officer Schmittberger  
that on the 28<sup>th</sup> day of February  
1880 said Officer found the  
said property in the room oc-  
cupied by said defendant at  
premises 118 MacDougal Street  
said defendant admitted to de-  
ponent that he had taken stolen  
and carried away said property  
Edw. H. W. B. Ted

Sworn to before me, this 27<sup>th</sup> day  
of March 1880  
James W. Beckwith  
Police Justice.

0763

City and County  
of New York } S.S

Max F. Schmittberger of the 29<sup>th</sup> Precinct being duly sworn says -  
on the 2<sup>nd</sup> day of February 1880  
deponent found the property named  
in the within complaint at the room  
occupied by John Clark the within  
named defendant at premises No.  
118 MacDougal street

Max F. Schmittberger

Sworn to before me this

First day of March 1880

J. M. ...  
John ...

0764

Police Court—Second District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*John Clarke* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him states as follows, viz.:

Question.—What is your name?

Answer.—

*John Clarke*

Question.—How old are you?

Answer.—

*Twenty three years*

Question.—Where were you born?

Answer.—

*Montreal*

Question.—Where do you live?

Answer.—

*118 Macdougall*

Question.—What is your occupation?

Answer.—

*Druggist*

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

*I have nothing to say—*

*John Clarke*

Taken before me, this  
1<sup>st</sup>  
day of March 1885  
at New York  
Police Justice

0765

52

Form 54.  
POLICE COURT—SECOND DISTRICT.

THE PEOPLE, & C.,  
ON THE COMPLAINT OF

*John C. P. [unclear]*  
*38 E. 29 St.*  
*John C. P. [unclear]*

Affidavit—Larceny.

DATED *March 1st* 18*80*

*Ottobony* MAGISTRATE.

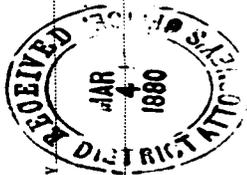
*Schmitt* OFFICER.

WITNESS:

*W. L. Schmitt*  
*29 E. 29 St.*

*Gabriel A. Healy*  
*328 West 14th St.*

*Leonard [unclear]*  
*1800 TO ANS. 58th St. 12th St. [unclear]*



BAILED BY  
No. STREET.

0766

CITY AND COUNTY }  
OF NEW YORK. } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That

*John Clark*

late of the First Ward of the City of New York, in the County of New York, afore-  
said, on the ~~Twenty-ninth~~ *Twenty-ninth* day of ~~February~~ *February*, in the year of our Lord one  
thousand eight hundred and ~~seventy-~~ *Eighty* at the Ward, City and County  
aforesaid, with force and arms

*Two coats of the value of Fifteen  
dollars each —*

of the goods, chattels and personal property of one

*Henry A Webster*

then, and  
there being found, 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.

0767

Counsel,  
Filed day of 187  
Pleads

THE PEOPLE

vs.

*John Clark*

Indictment—Larceny.

BENJ. K. PHELPS,

*District Attorney.*

A True Bill.

*Wm. H. Jones*  
Foreman.

0768

~~CITY AND COUNTY~~  
~~OF NEW YORK~~

*Aforesaid*  
And

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,

~~in and for the City and County of New York~~

upon their Oath, *aforesaid* do further present,

That

*John Clark*

late of the First Ward of the City of New York, in the County of New York, afore-  
said, on the ~~twenty-seventh~~ day of *February* in the year of our Lord one  
thousand eight hundred and ~~seventy~~ *eighty* at the Ward, City and County  
aforesaid, with force and arms

*Two coats of the value of fifteen dollars,  
each.*

of the goods, chattels and personal property of one

*Calvin J Adams,*

then and  
there being found, 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.

0769

~~CITY AND COUNTY~~  
~~OF NEW YORK~~

*Aforesaid*  
And THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York,*  
upon their Oath, *do* ~~do~~ *present*

That *John Clark*

late of the First Ward of the City of New York, in the County of New York, afore.  
said, on the *Twenty seventh* day of *February*  
thousand eight hundred and ~~seventy~~ *Eighty* in the year of our Lord one  
aforesaid, with force and arms at the Ward, City and County

*Two rats of the value of Fifteen dollars each*

of the goods, chattels and personal property of one

*Lewis Timberlake*

then and  
there being found, 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.

CITY AND COUNTY }  
OF NEW YORK, }

*And* *aforsaid*  
THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK  
*in and for the body of the City and County of New York,*  
upon their Oath, *aforsaid do further present*

That *the said John Clark*  
late of the First Ward of the City of New York, in the County of New York, aforesaid,  
on the *Twenty Seventh* day of *February* in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *Eighty* with force and arms, at the  
Ward, City and County aforesaid,

*Two coats of the value of Fifteen  
dollars each*

of the goods, Chattels and personal property of *Henry H. Webster*  
by *a certain person or* — — —  
~~and certain~~ *persons* to the Jurors aforesaid unknown, then lately before feloniously  
stolen of the said *Henry H. Webster*  
unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have  
(the said *John Clark* — — —

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

BENJ. K. PHELPS, District Attorney.

0771

SUPREMACY  
OF NEW YORK

*And*

THE JURORS OF THE PEOPLE OF THE CITY OF NEW YORK.

*in and for the body of the City and County of New York,*  
upon their Oath.

*aforsaid*

*aforsaid*

That *the said John Clark*

late of the First Ward of the City of New York, in the County of New York, aforesaid,  
on the *Twenty seventh* day of *February* in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *eighty* with force and arms, at the  
Ward, City and County aforesaid,

*Two Coats of the value of Fifteen  
dollars each*

of the goods, Chattels and personal property of *Calvin J. Adams*

by *a certain person*

and certain other persons to the Jurors aforesaid unknown, then lately before feloniously  
stolen of the said *Calvin J. Adams*

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have  
(the said

*John Clark*

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

BENJ. K. PHELPS, District Attorney.

0772

CITY AND COUNTY  
OF NEW YORK,

*And* <sup>*aforsaid*</sup> THE JURORS ~~OF THE PEOPLE OF THE STATE OF NEW YORK~~  
*in and for the body of the City and County of New York*  
upon their Oath, *aforsaid do further present*

That *the said John Clark*  
late of the First Ward of the City of New York, in the County of New York, aforesaid,  
on the *Twenty Seventh* day of *February* in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *Eighty* with force and arms, at the  
Ward, City and County aforesaid,

*Two coats of the value of Fifteen  
dollars each*

of the goods, Chattels and personal property of *Lewis Timberlake*  
by *a certain person or*  
~~and certain other persons~~ to the Jurors aforesaid unknown, then lately before feloniously  
stolen of the said *Lewis Timberlake*  
unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have  
(the said *John Clark*)

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

BENJ. K. PHELPS, District Attorney.

0773

**BOX:**

7

**FOLDER:**

99

**DESCRIPTION:**

Clinton, Henry F.

**DATE:**

03/05/80



99

0774

*W.P.*

Counsel,  
Filed *5* day of *March* 1880  
Pleads *Henry F. Clinton (A)*

THE PEOPLE

vs.

Indictment - Larceny.

*F.*

*Henry F. Clinton*

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*L. M. Sperry*

March 1<sup>st</sup> 1880 Foreman.

*P. Reads*

*Plen 4 months.*

0775

Form 112.

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

Police Court—First District.

ss: Thomas J. Lloyd

of No. 261 Canal Street, being duly sworn, deposes  
and says, that on the 28 day of February 1880  
at the City of New York, in the County of New York, was feloniously taken, stolen, and carried  
away from the possession of deponent,

the following property, viz: Six gross of Pearl Buttons

of the value of nine Dollars,  
the property of William Lee, John H. Tweedy, James J. Lee  
and Charles H. Lee copartners and in care and charge  
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 Henry F. Clinton (now here)  
for the reason that deponent saw him take steal  
and carry away the aforesaid property  
Thomas J. Lloyd

Sworn to, before me, this

of

February 29 1880

day

*[Signature]*  
Police Justice

0776

**Police Court—First District.**

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 he was at  
liberty to refuse to answer any question that may be put to him, states as follows,  
viz:

*Question.* What is your name?

*Answer.*

*Question.* How old are you?

*Answer,*

*Question.* Where were you born?

*Answer.*

*Question.* Where do you live?

*Answer*

*Question.* What is your occupation?

*Answer.*

*Question.* Have you anything to say, and if so, what—relative to the charge  
here preferred against you?

*Answer.*

*Taken before me, this*

*day of*

*18*

*Police Justice*

0777

61 5

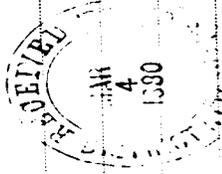
Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thomas J. Dwyer  
Panel 261

vs.  
Henry J. Clifton



Dated 29 February 1880  
Hubbreth Magistrate

Adams officer.  
14 Precinct  
Clerk.

Witnesses:

*[Handwritten names]*

to answer  
at Sessions  
Received at Dist. Atty's office

BAILED:

No. 1, by *[Signature]*

Residence, *[Signature]*

No. 2, by *[Signature]*

Residence, *[Signature]*

No. 3, by *[Signature]*

Residence, *[Signature]*

No. 4, by \_\_\_\_\_

Residence, \_\_\_\_\_

No. 5, by \_\_\_\_\_

Residence, \_\_\_\_\_

No. 6, by \_\_\_\_\_

Residence, \_\_\_\_\_

COUNSEL FOR COMPLAINANT.

Name, \_\_\_\_\_  
Address, \_\_\_\_\_

COUNSEL FOR DEFENDANT.

Name, \_\_\_\_\_  
Address, \_\_\_\_\_

0778

City Prison.

New York March 22  
1880.

RECOGNIZANCE TO ANSWER.

New York, ss.:

This is to certify that the  
beard is known to me  
and has always been  
known to me for several  
years, as Dr. James J. Budham.

W. H. Jackson M.D.

0779

RECOGNIZANCE TO ANSWER.

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

**Be it Remembered,** That on the  
11th day of March in the year of our  
Lord 1841, Henry Clinton Principal,  
of No. 11, South Street, in the City of  
New York,  
and Charles Southam Surety,  
of No. 21, South Street, in the said City,

personally came before the undersigned, Cit. Justice  
of the City of New York, and acknowledged themselves to owe the  
People of the State of New York, that is to say, the said

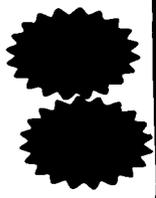
Henry Clinton Principal, in  
the sum of 100 Hundred Dollars,  
and the said Charles Southam Surety, in  
the sum of 100 Hundred Dollars,  
separately, of good and lawful money of the State of New York, to be  
levied and made of their respective goods and chattels, lands and tene-  
ments, to the use of said People, if default shall be made in the condi-  
tion following, viz.:

Whereas, The said Henry Clinton  
on the 11th day of March A.D. 1841  
by the Hon. Cit. Justice Police Justice in and  
for the City and County of New York, aforesaid, was duly committed  
to the City Prison, after due examination, charged with the offence of  
felony

Now, therefore, the condition of this Recognizance is such, that if the  
above named Henry Clinton Principal, shall  
personally appear at the first term of the Court  
of General Sessions of the Peace, held in and for said City and County  
of New York, to answer to any indictment against him, and abide the  
order of the said Court thereon, and also in like manner personally appear  
at any subsequent term of said Court, to which the proceedings in the  
premises may be continued, or to any Court where said indictment may  
be sent for trial, if not previously surrendered or discharged, and so from  
term to term until the final decree, sentence, or order of the Court  
thereon, and abide such final sentence, order, or decree of the Court  
thereon, and not depart without leave, then this Recognizance to be  
void, otherwise to be, and abide in full force, power, and virtue.

Taken and acknowledged before me, the  
day and year first aforesaid.

Henry S. Clinton Principal.  
J. T. Buchanan M.D. Surety.



0780

And we, the undersigned, Principal and Surety, in the annexed Recognizance, do hereby stipulate, Agree and Consent, That in case said Recognizance shall be forfeited, that a copy of the order of the Court forfeiting the same, together with this Recognizance, be filed in the office of the Clerk of the City and County of New York, and that judgment may be entered for the several sums set forth in said Recognizance, and that execution issue forthwith thereon according to law.

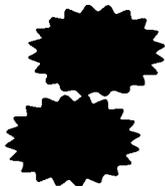
Witness

*[Handwritten signature]*

*[Handwritten signature]* Principal.

Surety.

*[Handwritten signature]*



0781

**Court of General Sessions,**

**CITY AND COUNTY OF NEW YORK.**

THE PEOPLE OF THE STATE OF NEW YORK

against

**EXAMINATION OF SURETY.**

*Henry Clinton*

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

*James Buchanan* being duly sworn, deposes and says:  
I am a citizen of the United States of America. I am *37* years of age. I reside in the State of New York, and have so resided *10* years and upwards. My dwelling house is No. *171* Street, in the City of *New York*. My wife and family reside with me at that place. My business is that of *Merchant* and I carry on business as such at No. *171* Street, in the City of New York.

I own real estate in the City of New York. It consists of *the house and lot of land situated at No. 171 Street, in the City of New York.*  
I paid for that property the sum of *\$11500*. The land, exclusive of the buildings, which I have above mentioned, is worth at least *\$8000*. The buildings are worth at least *\$3500*.  
The title to that property was examined for me by *Mr. [Name]* who sold me that the title was *good*.

This was about *the first of 1877*.  
The buildings on the above mentioned land are insured against loss by fire as follows:  
In the *Commercial* Insurance Company for *Five* Thousand Dollars; in the *Insurance Company for* *Five* Thousand Dollars—

By the policy of Insurance any loss which may accrue on said buildings is made payable to *James Buchanan*. The conveyance of the land and premises above mentioned was from *Mr. [Name]* and was recorded in the office of the Register of the County of New York, about *7* years ago.  
That conveyance is, to my best knowledge and recollection, a *legal* deed. It conveyed the premises to me, in my own right. It is made to me in my individual name, and the title is now, and ever since I purchased the property has remained, in my individual name, and I do not hold said property, or any part of it, or any share or interest of any kind in it, in trust for, or in anywise for the benefit of, any person other than myself. It is absolutely and exclusively my own. That I have made no contract or agreement with any person whatever, to sell or convey said property, and I have no understanding with any one that he is at any time to take the title to said property.

As to mortgages, *None*

As to taxes and assessments *all paid*

As to judgments *None*

I am in partnership with *None*

My debts and liabilities are as follows:

*nothing which is due on the above mentioned property*

Except as above stated I am not liable as bail, bondsman, surety, endorser, guarantor, indemnitor, or otherwise, in any manner whatever; and except as so stated I do not owe any money, and am not indebted to any person, firm or company in any sum, or upon any account whatever. No person holds a power of attorney from me for the sale or disposal of the property I have mentioned. I have not received any consideration, nor do I expect any, for going on the recognizance in the above mentioned case. I have not been indemnified

I hereby state that I am the identical person described herein and the person who owns the property above named

as *James Buchanan*  
and the name signed hereto in my name.  
Sworn to before me, this *3rd* day  
of *March* 18*80*

*J. Buchanan M.D.*

0782

CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York,*  
upon their Oath, present:

That

*Henry F. Clinton*

late of the First Ward of the City of New York, in the County of New York, afore-  
said, on the *twenty eighth* day of *February* in the year of our Lord one  
thousand eight hundred and ~~seventy~~ *eighty* at the Ward, City and County  
aforesaid, with force and arms

*Eight hundred and sixty four buttons of  
the value of one and one quarter cents  
each button*

of the goods, chattels and personal property of one

*William H. Lee*

then and  
there being found, 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.

**BENJ. K. PHELPS, District Attorney.**

0783

BOX:

7

FOLDER:

99

DESCRIPTION:

Conlon, William

DATE:

03/08/80



99



0785

City and County of New York

John Donovan of the  
Precinct Police being sworn says that  
he arrested the prisoner in Franklin  
Alley at about 8 o'clock on the  
night within mentioned and at the  
time of such arrest he had in his  
possession the coat here shown which  
Complainant identifies as his property

John Donovan  
Sworn to before me this  
1<sup>st</sup> day of March 1870

R. W. Murphy Police Justice

0786

Police Court—First District.

CITY AND COUNTY  
OF NEW YORK,

*John Conlon*

being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer. *William Conlon*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *Ireland*

Question. Where do you live?

Answer. *No home*

Question. What is your occupation?

Answer. *Printer*

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer. *I am not guilty*  
*William Conlon*

Taken before me, this

*A. M. Murphy*

day of

*March 1899*

POLICE JUSTICE.

0787

COPIES FOR COM. FILE

Name,

Address,

THE PEOPLE, &c.

OF THE COMPLAINT OF

Shad Miller  
43 Leonard St.  
vs.  
William Canton



*James J. Conroy*  
Attorney

COUNSEL FOR DEFENDANT.

Date: March 1st 1880

Magistrate.

Officer.

Name,

Clerk.

Address,

The Recorder  
Call the Officer and  
Clerk.

John P. Schoffing  
162 Franklin St.

1000  
to answer

Sessions.

Received in Dist. Atty's Office,

CITY AND COUNTY }  
OF NEW YORK. }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present :

That *William Boulton*

late of the *Fifth* Ward of the City of New York, in the County of  
New York, aforesaid,  
on the *twenty ninth* day of *February* in the year  
of our Lord one thousand eight hundred and ~~seventy~~ *eighty*  
with force and arms, about the hour of *two* o'clock in the *night* time  
of the same day, at the Ward, City and County aforesaid, the dwelling house of

*Bernhard Muller*  
there situate, feloniously and burglariously did break into and enter by means of  
*forcibly breaking open an outer window of said*  
*dwelling house*  
whilst there was then and there some human being to wit, one *Bernhard*  
*Muller* within the said dwelling house he, the said

*William Boulton*  
then and there intending to commit some crime therein, to wit: the goods, chattels, and  
personal property of *Bernhard Muller*

in the said dwelling house 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.

And the jurors aforesaid, upon their oath aforesaid, do further present: That  
afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County  
aforesaid, about the hour of *two* o'clock in the *night* time of said day,  
the said *William Boulton*

late of the Ward, City, and County aforesaid,  
*one coat of the value of one dollar*

of the goods, chattels, and personal property of *Bernhard Muller*  
*Bernhard Muller* in the said dwelling house of one  
then and there being found  
in the dwelling-house 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.

BENJ. K. PHELPS, District Attorney.

~~CITY AND COUNTY~~ }  
~~OF NEW YORK,~~ } ss.:

*aforsaid*  
And THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York,*  
upon their Oath, *aforsaid,* do further present

That *William Conlon*

*Fifth*  
late of the ~~First~~ Ward of the City of New York, in the County of New York, aforesaid,  
on the *twenty ninth* day of *February* in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *eighty* with force and arms, at the  
Ward, City and County aforesaid,

*the coat of the value of one dollar,*

of the goods, chattels and personal property of *Bernhard Muller*

by *a certain person or*

and certain other persons, to the Jurors aforesaid unknown, then lately before feloniously  
stolen of the said *Bernhard Muller*  
unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have  
(the said

*William Conlon*

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

**BENJ. K. PHELPS, District Attorney.**

~~CITY AND COUNTY~~ }  
~~OF NEW YORK,~~ } ss.:

*aforesaid*  
And THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
~~in and for the body of the City and County of New York,~~  
upon their Oath, ~~do~~ *do* further present

That *William Conlon*

*Fifth*  
late of the ~~First~~ *Fifth* Ward of the City of New York, in the County of New York, aforesaid,  
on the ~~twelfth~~ *twelfth* day of ~~February~~ *February* in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *Eighty* with force and arms, at the  
Ward, City and County aforesaid,

*the coat of the value of one dollar,*

of the goods, chattels and personal property of *Bernhard Muller*

by *a certain person or*

and certain other persons, to the Jurors aforesaid unknown, then lately before feloniously  
stolen of the said *Bernhard Muller*  
unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have  
(the said

*William Conlon*

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

**BENJ. K. PHELPS, District Attorney.**

0792

**BOX:**

7

**FOLDER:**

100

**DESCRIPTION:**

Brogan, William

**DATE:**

03/22/80



100