

02 18

BOX:

64

FOLDER:

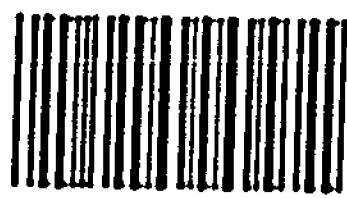
722

DESCRIPTION:

Babcock, Thomas

DATE:

04/24/82



722

0219

118 *Billboard*

Day of Trial,

Counsel,

Filed *24* day of *April* 1882

Pleads

*7* *May* *18* THE PEOPLE

*vs.*  
*Thomas Babcock*

*Victor*  
*Chap. 178 June 72*

*John McKeon*  
DANIEL C. ROLLINS,

*I. O. Wood* District Attorney.  
*24/4/82* *Pr. returned*  
A True Bill.

*Henry J. Dwyer*  
Foreman.

WITNESSES.

0220

Court of General Sessions of the City and County of New York  
The People of the State of New York  
against  
Thomas Babcock

The Grand Jury of the City and County of New York  
~~do hereby~~ by this indictment, ~~do hereby~~ accuse the said

Thomas Babcock

of the CRIME OF BEING THE CUSTODIAN OF MONEY WAGERED, committed as follows:

The said Thomas Babcock on the fifth day  
of April Eighteen hundred and eighty two  
~~at the City and County of New York~~ at the Ward, City and County afore-  
said, being then and there the owner, lessee and occupant of a certain room, and part of a  
certain room of and in a certain building and premises known as Number Sixty three

Broadway

in the Ward, City, and County aforesaid, did knowingly and unlawfully then and there become  
and then and there was and acted as the custodian and depository for hire and reward given  
to him the said Thomas Babcock

(a more particular description of which hire and reward is to the Jurors aforesaid unknown)  
of a certain sum of money, to wit: the sum of Two dollars

in money which one

Patrick Kerwin

then and there staked and wagered upon the result of a certain trial and contest of

Certain horses called Apollo Blazer and  
Ector and diverse other horses to the  
Jurors unknown in a certain race then about  
to take place in the City of New Orleans  
in the State of Louisiana, a more particular  
description of which said trial and contest  
of speed is to the Grand Jury aforesaid unknown

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

John McKeon  
DANIEL G. ROLLINS,  
District Attorney.

0221

Joseph P. Kennedy  
H 34 Emb. 57

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0222

Court of General Sessions, Part *Two*

THE PEOPLE

INDICTMENT

For

*Thomas Babcock*

To

*Mr. Joseph P. Kennedy*

No.

*439 East 57*

Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *pleading* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on *Thursday* the *27* day of *April* instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

~~DANIEL G. ROLLINS,~~

*John M. Kerr* District Attorney.



0224

Sec. 151.

Police Court 1st District.

CITY AND COUNTY }  
OF NEW YORK, }

In the name of the People of the State of New York: To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by John J. Brennan

of the 27th Precinct Police, that on the 5th day of April, 1882, at the City of New York, in the County of New York, Thomas Babcock did at the building or premises N<sup>o</sup> 63 Broadway violate chapter 178 of the laws of 1877 entitled

An act in relation to bets and wagers and pools, that said defendant did then and there keep and occupy said building or premises or part thereof with books for the purpose of receiving or registering bets or wagers upon the result of a trial of speed or contest of speed of horses or a race to be run by driver horses at New Orleans in the State of Louisiana and being the champion of said horse race, and did then and there permit the same to be kept and occupied for such unlawful purposes and did receive a bet of \$50, however small, and to be placed on horses who were to run in a race at New Orleans and that said defendant became the collector and disponent of said money and prize of

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 1st DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 5th day of April, 1882.

Solomon Smith  
Police Justice.

POLICE COURT. 1st DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John J. Brennan

vs.

Thomas Babcock

Warrant-General.

Dated April 5th, 1882

Solomon Smith  
Magistrate

Brennan  
Officer.

The Defendant  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

Officer.

Dated 1882

This Warrant may be executed on Sunday or at  
night.

Police Justice.

REMARKS.

Time of Arrest,

Native of

Age,

Sex

Complexion,

Color

Profession,

Married

Single,

Read,

Write,

0225

The within named

\_\_\_\_\_ having been brought before me under this Warrant, is committed for examination to the  
WARDEN or KEEPER of the City Prison of the City of New York.

Dated.....188

.....Police Justice.

0226

Sec. 195-200.

CITY AND COUNTY }  
OF NEW YORK, }

151 DISTRICT POLICE COURT.

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

Question. What is your name?

Answer.

*Thomas Babcock*

Question. How old are you?

Answer.

*Thirty six years*

Question. Where were you born?

Answer.

*Philadelphia*

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

Answer.

*Newark N. J. One Year*

Question. What is your business or profession?

Answer.

*Following up the races*

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

Answer.

*Under no possibility would I have entered into this business if I thought it illegal. In any event I could not continue it.*

*Thomas Babcock*

Taken before me, this *10*

day of *June* 188*8*

*Solomon Smith*  
Police Justice.

First District  
Police Court.

The People and  
Patrick H. Kerwin  
Complainants  
vs.  
Thomas Dablock  
Defendant.

Before Hon  
Judge D Smith  
Justice  
April 6th 1882

E. E. Price  
vs.  
James Cowan for Defendant.

Patrick H. Kerwin has examined  
Q you say your name is Patrick H. Kerwin?  
A yes  
Q where is this place you went to?  
A 63 Broadway  
Q you went up stairs?  
A yes  
Q What floor is this place on?  
A The fifth (5).  
Q what was it an ordinary office?  
A yes

2 Nothing special about it - but what you wanted see in any ordinary office was there?

Answer

2 You went there as a police officer to find out if anything illegal was going on, and to try and catch the parties if anything as you thought was going wrong. I said that it was.

2 What did you do when you went in there?

A I asked him to show me a programme and what he was laying on horses and he told me he was not laying anything on horses; but that he called the horses for me and that he would take my money and lay it out to a very good advantage.

2 Is it true that he told you he simply acted as the agent for people who wanted him to buy for them and lay money on their horses?

Answer

2 And with that understanding you gave him two (2) dollars as your agent to place it on the

horses that are named here for to run at some future time or race?

Ayesen

Q Did you know him?

A Yes

Q Did you ever see him before?

A I don't remember ever seeing him before?

Q Was it in consequence of an advertisement you saw in the Herald - that you went there?

A Yes

Q Was it in consequence of that advertisement you went there (showing witness the advertisement)?

A Yes

Q And you gave him the two dollars and he gave you a receipt for it?

A Yes

Q Are you sure you are the gentleman that got that receipt from him?

A I am quite positive as to that?

Q Then I may term or call you Patrick H. Herin, alias Charles Hamersly - you gave the name of Charles Hamersly there didn't you?

A Yes

Q This was on the 5th?



Ayes Sir

I and have you stated all that occurred  
about all.

I all that you can recall it?  
about all.

By the Court.

Q Did you state to him an what particular  
horses or what particular races you  
wanted your money invested?

A Yes Sir - in fact he told me his  
business was in picking out win-  
ning horses, that he has a man  
at the different race tracks and  
being connected with the turfs, he  
has every knowledge of the race  
chances. and -

Q In what horses were mentioned in  
the conversation?

A ~~Exposition~~ Blazes and Apollo.

Q In what races?

A New Orleans races on the 14th and the  
18th and 15th that is, that if each  
of those horses would win a  
race on those days I would re-  
ceive one hundred and fifty dollars  
for two.

Q What's what he told you?

Ayesen

Q and then you arrested?

Ayesen

Q and did he make any record of it?

Ayesen

Q On what?

A In this book (showing book).

Q and do you identify that as being the book (showing witness a book)

Ayesen

Q and did you see him make that entry on the bottom of the page?

Ayesen

Q and that book you afterwards found in his possession when you arrested him?

Ayesen

Q and where did you find these slips (showing witness a number of slips.)

A They were hanging up on the wall in the office?

Re Cross

Q In regard to this book did you tell him you lived at 25 Newark Ave. Jersey City?

A I did

Q and that's where he was to send.

for you?

A In case he was to receive information as beneficial to me as a better.

Q In consideration of this two dollars you gave him he wanted sent you word there?

A Yes - It was supposed that I wanted to be a subscriber.

By the Court.

Q What did he say about being a subscriber?

A He says he has a number of subscribers - a number of gentlemen throughout the city that are subscribers and for five dollars a week he wanted give them information that would lead them to win a great deal of money.

Q What was you to subscribe?

A He said I suppose you will be a regular subscriber and wanted to know if I would pay five dollars to become a regular subscriber.

Q Did he say for what purpose to whom it was to be paid?

0233

7

Q To be paid to his concern  
Q what name did he say?  
A The concern of Thomas Babcock & Co.

Given to before me } Patrick H. Kerwin  
this 10th day of April 1883 }

Solomon D. Smith  
Justice

The People Ret.

Deft. Counsel. Moves to dismiss!

By the Court. Motion Denied.  
Deft. Counsel Exception

Deft. Counsel, what bail does your  
Honor fix!

By the Court \$300. dollars

The further hearing was then adjourned to Monday April 10th 10 Am

0234

7

As to be paid to his concern  
2 what name did he say?  
A The concern of Thomas Babcock & Co.

Given to before me } Patrick H. Kerwin  
the 10th day of April 1883 }

Solo J. Smith  
Police Justice

The People Ret.

Deft. Counsel. Moves to dismiss!

By the Court. Motion Denied.  
Deft. Counsel Exception

Deft. Counsel, what bail does your  
Cham or fix!

By the Court \$300. dollars

The further hearing was then adjourned  
to Monday April 10th 10 Am

0235

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss.POLICE COURT, *First* DISTRICT.a Detecting Police officer *Patrick Herwin, aged 31 years,*  
of the *27th Precinct-Police*

says that on the

*Fifth*

day of

*April*188*2*

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

*Thomas Babcock and*

at the building or premises No. 63 Broadway  
~~do~~ violate Chapter 178 of the laws of 1877  
entitled "an act in relation to bets wagers  
and pools That said Thomas Babcock  
did then and there keep and occupy  
said building or premises or part thereof  
with Books for the purpose of recording  
or registering bets or wagers upon the  
result of a trial or contest of Speed of  
Horses in a race to be run by diverse  
Horses at New Orleans in the State  
of Louisiana and being the occupant  
of said premises did then and there  
unlawfully ~~and knowingly~~ permit the same to be  
used and occupied for such unlawful  
purposes and then and there unlawfully  
recorded such bets and wagers and did  
receive a bet of two dollars from deponent  
to be placed on three Horses viz: Apollo  
Blazes and Exeter, for which he said  
Babcock gave to deponent the annexed  
receipt on said 5<sup>th</sup> day of April 1882  
Deponent further says that said  
defendant be cause the custodian  
and depository for hire and reward  
of said money so received by him  
as aforesaid on said race to be so  
run in New Orleans in the second  
week in April 1882 and he therefore  
asks that he said defendant may be

0236

~~has been arrested~~ and be dealt with  
according to law

Sworn to before me this      Patrick H. Kern in  
5<sup>th</sup> day of April 1882  
Solomon B. Smith Justice

Police Court      District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

Patrick H. Kern

vs.  
Thomas Babcock

Dated

April 3

1882

Magistrate.

Kern

Officer.

Witness.

Disposition.

300 Ex 13/30/82

Ex 10 due

Ex 10 due  
Ex 10 due  
Ex 10 due

0237

1882	Cyrie & Co
Received of Mrs. Hammon	
2 Dollars	
to be placed in a box, Blazes & Co	
at New Orleans	
2	Thos. Batcock & Co
M. H. Smith & Co	



0238

BOX:

64

FOLDER:

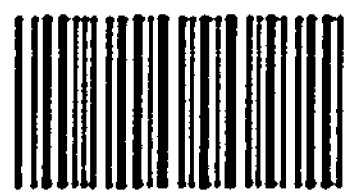
722

DESCRIPTION:

Barry, David

DATE:

04/27/82



722

0239

BOX:

64

FOLDER:

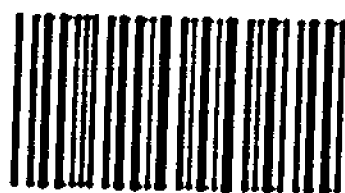
722

DESCRIPTION:

Judge, Thomas

DATE:

04/27/82



722

No 218

~~12th~~ 12th

Day of Trial,

Counsel *Stark*

Filed 27 day of April 1882

Pleas *Obtained*

THE PEOPLE

*vs. Challenge*

1. David Barry B

2. Thomas Judge

LARCENY AND RECEIVING  
STOLEN GOODS

JOHN McKEON,

District Attorney.

A True Bill.

*James Talbot*  
*May 1882*  
Foreman.

*(Joh.)*  
*James Talbot*  
*of Grand Jurors - S. P. Hooper*  
*Sh. 2. Ch. 1882*  
May 18

WITNESSES.

0241

**Court of General Sessions**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*David Barry  
and Thomas Judge*

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

*David Barry and Thomas Judge*

of the CRIME OF LARCENY

committed as follows:

The said *David Barry and Thomas Judge*

late of the First Ward of the City of New York, in the County of New York,  
aforesaid, on the *Eighteenth* day of *April* in the year of our Lord  
one thousand eight hundred and eighty *two* at the Ward, City and County  
aforesaid, with force and arms

*Three hundred and Eighty six grain  
bags of the value of fifteen Cents  
Each.*

of the goods, chattels and personal property of one *Thomas Henderson Junior*

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.

0242

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Thomas Judge*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Thomas Judge*

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,

*Three hundred and eighty six  
grain bags of the value of  
fifteen cents each*

of the goods, chattels and personal property of the said *Thomas Henderson Junior*  
*by David Barry*

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

unlawfully, unjustly, did feloniously receive and have (the said *Thomas Judge*

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

JOHN McKEON, District Attorney.

0243

BAILED,  
No. 1, by *James Maloney*  
Residence *106 Murray Street,*  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

360  
Police Court—*2* District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Richard Hawley*  
*John H. H. O'Hara*  
*Edward O'Hara*  
*Thomas Judge*

Offence *Grand Larceny*  
*and Receiving Stolen Goods*

Dated *April 20* 188 *2*

*William MacIntyre*  
*Malcolm D. Cunningham*  
*Standard Squad*

Witness *Michael Gannon*

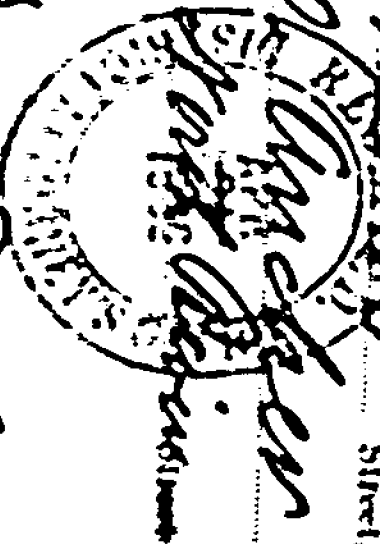
No. *300* *Mullberg* Street,

*Patrick O'Shady*

No. *203* *W. H. O'Connell* Street,

*George H. O'Connell*

No. *446* *W. H. O'Connell* Street,



*1000 West 11 Ave*

*E. J. Conrad*

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named *David Barry and Thomas Judge* *had to answer for same and* guilty thereof, I order that they be admitted to bail in the sum of *one* Hundred Dollars each and be committed to the Warden or Keeper of the City Prison until they give such bail.

Dated *April 20* 188 *2* *J. M. Patterson* Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0244

Sec. 193-200.

2 DISTRICT POLICE COURT.

CITY AND COUNTY } ss.  
OF NEW YORK,*Thomas Fudge*

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

Question. What is your name?

Answer. *Thomas Fudge*

Question. How old are you?

Answer. *Thirty-seven years of age*

Question. Where were you born?

Answer. *New York*

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

Answer. *Jersey City*

Question. What is your business or profession?

Answer. *Licensed Vendor*

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

Answer. *I did not know the property was stolen. I paid Barry four dollars for the bag and paid them for twenty two dollars to Brady*

Taken before me, this *20<sup>th</sup>*  
day of *April* 188 *2*

*his*  
*Thomas Fudge*  
*(mark)*

*John P. [Signature]*  
Police Justice.

0245

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, }

2 DISTRICT POLICE COURT.

David Barry

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

Question. What is your name?

Answer.

David Barry

Question. How old are you?

Answer.

Twenty-five years of age

Question. Where were you born?

Answer.

Ireland

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

Answer.

716 Greenwich St. 3 Months

Question. What is your business or profession?

Answer.

Bag man and Watchman on  
Riv 46 North River

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

Answer.

I sold the bags to Thomas  
Judge, here present, for the  
sum of four dollars. I did  
intend to turn over the  
money to Henderson Baskins.  
I have nothing else to say.

Taken before me, this

24<sup>th</sup>

day of April

188

David Barry



Police Justice.



0246

Form 10.

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

*Patrick Grady*  
of No. *203 West 60<sup>th</sup>* Street, being duly sworn, deposes and says  
that on the *18<sup>th</sup>* day of *April* 188 *2* at the City of  
New York, in the County of New York.

*Thomas Judge, now here, sold*  
and delivered to deponent the  
property named in the annexed  
Complaint of Richard Hawley,  
consisting of three hundred  
and fifty-five empty grain  
bags, and deponent then and  
there paid to said Thomas  
Judge for the said property the  
sum of twenty-two dollars.

*Thomas Judge*

*Testimony of*  
*Patrick Grady*  
*April 20<sup>th</sup> 1882*

0247

2 District Police Court.

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK, } ssof *Richard Hawley, Supt.*  
*Pier H6 North River,* aged 35 years,  
being duly sworn, deposes and says, that on the *18* day of *April* 1882at the \_\_\_\_\_ City of New York,  
in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent *in the day time*  
the following property, viz:*Three hundred and eighty-six  
empty grain bags, in all of  
the value of forty eight dollars  
and fifty cents*

the property of

*Thomas Henderson Jr. and others,  
Co-Partners, 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 *David Barry, now**here, from the fact that said  
defendant, who was in the employment  
of said Henderson Brothers, now here  
in open Court admits taking said  
property and selling the same to  
Thomas Judge, now here, for the  
sum of four dollars. That said  
Thomas Judge thereafter sold and  
disposed of said property for the sum of  
Twenty Two dollars. That deponent therefore*



0249

Testimony in the case of  
David Barry and  
Thomas Judge

Filed April

1882

77  
 The People  
 David Barry  
 and Thomas Judge  
 Court of General Sessions. Part I.  
 Before Judge Gildersleeve. May 12. 1882.  
 Indictment for grand larceny and  
 receiving stolen goods.

Richard Hawley sworn and examined, testified  
 I am Superintendent of Pier 46 North River  
 Anchor Line Steamship Co. on the 18th of  
 April we had a large quantity of bags, some  
 thousands, belonging to Henderson Bros,  
 the agents of the Anchor line; they were in  
 my keeping. I found we were short from  
 four to five hundred bags and we recovered  
 366. Barry has been employed about four  
 years on that dock as watchman, tally-  
 man and bagman. On the 18th of April  
 Barry relieved the regular gate man while  
 he went to dinner. I found 366 bags which  
 I recognized as our property in the possession  
 of Patrick Brady; he is a truckman. I found  
 them on the river end of the dock; the  
 bags are worth from 12 to 12 1/2 cents a  
 piece. I asked Barry on the 19th of April,  
 Did you send any bags away from this  
 pier yesterday or do anything with any  
 bags? He said, I did. I sent sixteen bun-  
 dles to pier 20, which is another pier  
 of the same company. I asked him how  
 he came to send them and who

gave him the order: he said he received no order but a man came to him and said he had been sent from pier 20 to get the bags and he gave them to him, sixteen bundles; it is customary to have 35 bags in a bundle. I asked him if he knew the man; he said he did not. I asked him if he could find the man? He said he thought not. I told him to go and find the man; he came back in two hours. In the mean time the prisoner Judge was obtained by detective Gannon. Then Judge said to me that he had bought the bags for four dollars from Barry. I asked Barry if that was so? He said it was, that he had sold them to Judge for four dollars. I asked Judge what he had done with them; he said he had sold them to Brady for twenty two dollars. I have charge of the dock and all the property there. Barry had no authority or right to remove those bags or dispose of them. Cross Examined. It is not a fact that Barry paid me four dollars for the bags; he tendered me four dollars which I refused; he laid it down on my desk. I asked the detective what was to be done, and

Barry has been in the employ of the Steamship Co. a long time, and while in their employ I understand he was injured. I am not aware that the Company entered into a contract with them to keep him in their employ as long as they chose in consideration of his not suing them for the injuries: This is the first intimation I had of such a thing. It is not a fact that nine tenths of the bags were torn that Brady bought. It was on the 19th of April that Barry tendered me the four dollars, the day after the loss of the bags was discovered; that was after the detective came. George E. Crissy sworn. I was a clerk on Pier 46 North River, the pier of the Anchor Line Steamship Co. I know something about the loss of this property in question. I had relieved the delivery clerk for dinner, I stood in the office looking over the delivery book, I heard a wagon rush by the office; it was my duty to see what went out of the gate; at that time I did not know where Barry was. I learned in a few minutes afterwards, I halloed to him to stop. I then stood on the string piece and saw Barry; he was just outside the gate. As I halloed to stop he



halted to stop putting his left hand in his  
 left coat pocket and haul out a paper;  
 he says, "Hold on till I sign this - give this  
 to Johnson." Johnson is our bagman on pier  
 20 seeing the bags in the wagon; the driver  
 was Thomas Judge, the prisoner here; the bags  
 were in bundles piled one on top of another  
 known in our business as store bags the  
 same as shown by Mr. Hawley. Cross  
Examined. I have been working at that dock  
 three years the 20th of last March. I know Barry.  
 He was there previous to my coming. I  
 know nothing of my own knowledge of his  
 being injured there, but I heard rumors of  
 it. At the time Barry was arrested he was  
 bagman, tallyman and watchman. At  
 the time when I saw this wagon at the gate  
 Barry's duty was to relieve the gate keeper  
 Michael Gannon, sworn and examined, tes-  
tified. I am attached to the steamboat squad,  
 on the 18th of April there was some bags stolen  
 from pier 46 North river - what I heard, what  
 was reported to us. I investigated it through  
 Mr. Frisay. I received information from him  
 in consequence of which I arrested Thomas  
 Judge. I did not find the property in his  
 possession, but I traced it to him to fifty



halloed to stop putting his left hand in his  
 left coat pocket and haul out a papers. He  
 he says, "Hold on till I sign this - give this  
 to Johnson". Johnson is our bagman on pier.  
 So seeing the bags in the wagon; the driver  
 was Thomas Judge, the prisoner here; the bags  
 were in bundles piled one on top of another  
 known in our business as store bags the  
 same as shown by Mr. Hawley. Cross  
Examined. I have been working at that lock  
 three years the 20th of last March. I know Barry  
 he was there previous to my coming. I  
 know nothing of my own knowledge of his  
 being injured there, but I heard rumors of  
 it. At the time Barry was arrested he was  
 bagman, tallyman and watchman. At  
 the time when I saw this wagon at the gate  
 Barry's duty was to relieve the gate keeper  
 Michael Gannon, sworn and examined, tes-  
tified. I am attached to the steamboat squad,  
 on the 15th of April there was some bags stolen  
 from pier 46 North river - what I heard, what  
 was reported to us. I investigated it through  
 Mr. Crisay. I received information from him  
 in consequence of which I arrested Thomas  
 Judge. I did not find the property in his  
 possession, but I traced it to him to fifty

eighth st. and north river, Patrick Brady;  
 it is no pier, it is a stable at the foot of  
 fifty eighth st. near the river, the North river.  
 I found in Brady's possession a number of  
 bundles of bags. By order of the Court they  
 were sent back to the Company. Judge said  
 that he gave the prisoner Barry four dollars  
 for these bags. It was through him I received  
 the information that he had sold them  
 to Brady; he said they came to \$24.96  
 and that Brady made it the even money  
 and gave him \$22. Cross Examined.  
 I arrested Barry and Judge was brought  
 back to the pier to Mr. Hawley's office. I was  
 present when Barry offered Mr. Hawley four  
 dollars, but Mr. Hawley asked me would  
 he take it. Both Barry and Judge were  
 prisoners then and I had received infor-  
 mation where the property was.  
 Patrick Brady sworn and examined. in  
~~his own behalf~~ testified. I am in the cart-  
 ing, the trucking business. On or about  
 the 18<sup>th</sup> or 19<sup>th</sup> of last month I purchased bags  
 of the prisoner Judge. There was 366 I believe  
 What did you pay him for them? Six  
 cents a piece; they were worth seven. I  
 was only making a cent. I could buy them  
 anywhere for that; they were second

hand bags. I was on the corner of thirty  
 fourth street and Eleventh Avenue about  
 half past two in the afternoon. Mr. Judge came  
 along with a wagon load full of bags; he asked  
 me to buy them. I went and looked at them.  
 I told him I thought they were all torn, they  
 were over the ocean. I looked at some of  
 them when they were torn; he pulled out  
 a bundle of bags and opened them out. There  
 was some good ones, 366. I told him if  
 he wanted six cents I would give it, prov-  
 ided he would take them to my stable  
 and straiten them out. I went home  
 ahead of him in the wagon and I told  
 my foreman when he came to be sure  
 to get nothing but good ones. I received  
 the bags and paid him twenty two dollars.  
 This was half past two in the afternoon.  
 at the corner of Eleventh Avenue and  
 Thirty fourth st. in the hay market. I  
 was down there buying some hay. Cross  
 Examined. Second hand bags are only worth  
 seven cents a piece. I can buy them by the  
 bale for seven cents a piece. I returned the  
 bags to Capt. Newley and he sent me back  
 a receipt for them; he identified the bags as  
 the property of the Company. Garry, the man

Judge used to work for sent the money back  
 to me \$22. George Crissy recalled. Pier No 46  
 North River is in an opposite line to the foot  
 of Charles St. Pier No 20 is foot of Bay St. As  
 near as I can remember it was 20 minutes  
 past 12 o'clock when Judge drove the wagon load  
 of baps out of the yard; it was broad daylight.  
David Barry, sworn and examined in his  
 own behalf. Testified: I have been working for  
 this steamship Co. going on six years. I have  
 never been arrested for any offence. I was  
 injured while in the employ of the Company and  
 they agreed to give me work as long as they  
 had it. My duties for the last three years were  
 to take charge of the baps and to distribute them  
 from one pier to another. I sold these baps  
 to Judge for four dollars. I intended to give the  
 money to Henderson Bros. Before I was arrested  
 I tendered the money to Mr. Hawley in his  
 office and he refused to take it. I did not  
 intend to convert the money to my own use  
 when I sold those baps. I never intended to  
 steal them. Cross Examined. I have not sold  
 any baps before, but I have used them for  
 different purposes concerning their interest.  
 If you had sold those baps what did you  
 mean in telling Judge to take these baps  
 to Pier 20 and deliver them to Johnson

and what did you give him a paper for? I do not remember saying anything of the kind to Judge. I did not tell Crissy anything of the kind. The memorandum I gave him to get those bags on the pier; he would not be allowed to take them off the pier unless he had a memorandum from me. Officer Gannon was present when I tendered the money to Mr. Hawley; he had Judge in charge then. I was not arrested. He says he had you in arrest? No, he presented his badge ten minutes afterwards; he said, Consider yourself arrested. This was half past three or a quarter to four in the afternoon. Hawley asked me if I could not identify Judge. I said, yes, and I went after him to get him.

James Skuse sworn. I live 53 Garnet St. Brooklyn. Know the prisoner seven years; his reputation for honesty is good; never heard of his being arrested for any offence before.

Cyrus P. Rockwood testified that he knew the prisoner four or five years and so far as he knew his reputation for honesty was good.

Thomas Judge sworn. I did not know these bags were stolen. I bought them in good faith. I did not carry them from the dock secretly. I went there with my

wagon intending to buy potatoes. Some of these bags were all eaten by rats and torn and some of them were new bags. I supposed I would get 400 for four dollars. I paid Barry four dollars. Brady told me they were worth six cents a piece and he told me to drive to his place. I bought and sold them in good faith.

Barry was convicted of petty larceny.  
Judge was acquitted.



0260

BOX:

64

FOLDER:

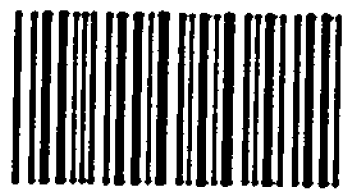
722

DESCRIPTION:

Beauregard, Alexander

DATE:

04/18/82



722

42/35

Day of Trial,

Counsel,

Filed 18 day of April 1882

Pleads

THE PEOPLE,

vs.

LARCENY AND RECEIVING  
STOLEN GOODS

Alexander Deane  
Edwin Peter Hannon

*[Signature]*  
1882

JOHN McKEON,

District Attorney.

A True Bill.

*[Signature]*  
Foreman.  
*[Signature]*  
H. G. M. S. S. S.  
*[Signature]*

WITNESSES

*[Handwritten notes and signatures]*  
Apr. 18/82  
Court of Sessions  
Petition  
H. G. M. S. S. S.  
H. G. M. S. S. S.



0262

**Court of General Sessions**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Alexander Beauregard  
otherwise called Peter Hanson*

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

*Alexander Beauregard otherwise called  
Peter Hanson*  
of the CRIME OF LARCENY

committed as follows:

The said *Alexander Beauregard otherwise  
called Peter Hanson*

late of the First Ward of the City of New York, in the County of New York,  
aforesaid, on the *third* day of *April* in the year of our Lord  
one thousand eight hundred and eighty *two*, at the Ward, City and County  
aforesaid, with force and arms

*One Watch of the Value of  
thirty dollars*

of the goods, chattels and personal property of one

*Jennie T. Putnam*

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.

*John McKeon  
District Attorney*

0263

And the Grand Jury aforesaid, by this indictment, further accuse the said  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:  
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 a certain person or persons to the Grand Jury aforesaid unknown, then lately before  
feloniously stolen, taken and carried away from the said

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

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

JOHN McKEON, District Attorney.

0264

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

Police Court - 339 District

THE PEOPLE, &c.,

VS THE COMPLAINANT

*James J. Latham*  
*15 East 41 St.*

*John J. Latham*  
*15 East 41 St.*

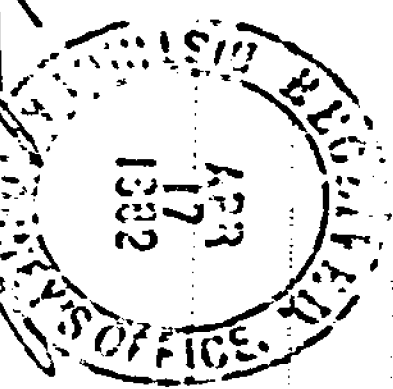
Office, *Marie Latham*

Dated *April 15 1882*

*W. H. Latham* Magistrate

*John J. Latham* Clerk

Witnesses .....  
No. ....  
No. ....  
No. ....



*1000 to Mrs. W. H. Latham*

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

*John J. Latham* *Alia. Peter Hanson*  
guilty thereof, I order that he be admitted to bail in the sum of *10* Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated *April 15 1882* *W. H. Latham* Police Justice.

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

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

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

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

0265

Rec. 193-210.

CITY AND COUNTY } ss.  
OF NEW YORK.

*2nd* DISTRICT POLICE COURT.

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

Question. What is your name?

Answer. *Alex. Beauregard*

Question. How old are you?

Answer. *59 years*

Question. Where were you born?

Answer. *Copenhagen, Denmark*

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

Answer. *At 3 West 30<sup>th</sup> Street and have lived there since November 1881.*

Question. What is your business or profession?

Answer. *Professor of French and German*

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

Answer.

*I am guilty of the charge.*

Taken before me, this *15<sup>th</sup>*  
day of *April* 188*2*

*Alex. Beauregard*

*G. H. Smith* Police Justice.

0266

2<sup>nd</sup> District Police Court.

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK.

of No.

1

East 44<sup>th</sup>

Street,

in the City of New York

being duly sworn, deposes and says, that on the

3<sup>rd</sup>

day of

April

1882

at the

dwelling house

No. 1

East 44<sup>th</sup>

Street,

in 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:

1 Silver Chain Watch of the value of \$50.

the property of

Jennie J. Sullivan, 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

Alexander Beauregard alias Peter

Hanson, who called at No. 1 East 44<sup>th</sup> Street on the3<sup>rd</sup> day of April 1882 and stated that he was desirous of renting

a furnished room with board, whereupon deponent showed

said Beauregard alias Hanson a room in the rear part

of said dwelling and on the third floor. Deponent had previously

left said property on the mantle piece in said room, left said room and securely fastened the door

and on deponent going to said room about the said

Beauregard alias Hanson deponent found the

Toliver Jones

1882

0267

room as she had previously testified. De-  
ponent unlocked the door of said room and  
entered it in company with said Beauregard  
alias Hanson. While deponent was in the room  
with said Beauregard alias Hanson he said  
Beauregard alias Hanson asked deponent for a  
drink of water which deponent hastened to do  
thereby causing deponent to turn her back to  
said Beauregard alias Hanson. The said Beauregard  
alias Hanson on leaving the room promised to call  
that same evening and inform deponent whether  
he would rent said room from deponent or not.  
Deponent left said Beauregard alias Hanson  
at the front hall door and immediately proceeded to  
said room and then and there discovered that said property  
had been taken. stolen and carried away and used  
Beauregard alias Hanson admitted in open Court in deponent's presence that he  
took, stole and carried away said property.

Room to be given me this

15<sup>th</sup> day of April 1887

Jimmie J. Peterson  
E. T. Kilbuck  
Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Jimmie J. Peterson

Alexander Beauregard

alias Peter Hanson

AFIDAVIT-Larceny.

Dated April 15<sup>th</sup> 1887

E. T. Kilbuck Magistrate.

J. Schmittling Officer.

WITNESSES:

DISPOSITION

No-1465.

WITNESSES.

Day of Trial,

Counsel,

Filed

day of

Pleads

1882

THE PEOPLE

vs.

Charles B. Buegand

alias

Peter Stanton

(C. B. Buegand)

JOHN McKEON,

District Attorney.

Let name of owner

A True Bill.

John W. Black

Foreman.

0269

**Court of General Sessions.**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Alexander Beauregard otherwise called  
Peter Hanson*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Alexander Beauregard otherwise called Peter Hanson*  
of the CRIME of LARCENY

committed as follows:

The said

*Alexander Beauregard otherwise called Peter Hanson*  
late of the First Ward of the City of New York, in the County of New York,  
aforesaid, on the *seventh* day of *April* in the year of our Lord  
one thousand eight hundred and eighty *Five*, at the Ward, City and County  
aforesaid, with force and arms

*Two opera glasses of the value of  
two dollars each,*

of the goods, chattels and personal property of one

*Arthur Helmreich*

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.

*John McFen*  
*Dist. Atty.*



0270

And the Grand Jury aforesaid, by this indictment, further accuse the said  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

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

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

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

JOHN McKEON, District Attorney.

0271

BAILED.

No. 1, by .....  
Residence ..... Street, .....

No. 2, by .....  
Residence ..... Street, .....

No. 3, by .....  
Residence ..... Street, .....

No. 4, by .....  
Residence ..... Street, .....

*Personal Appearance.*  
Police Court *21* District *33*

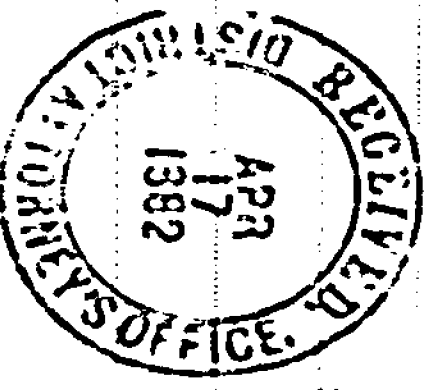
THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*Capt. Shindler*  
*120 West 32*  
*Off. Deane*  
*John Hanson*  
*(2 bonds)*  
Offence, *Robt. Larceny*

Dated *April 15 1882*

*Kilbride* Magistrate.

*Wm. Schmitt* Clerk.

Witnesses.  
No. .... Street, .....  
No. .... Street, .....  
No. .... Street, .....



*11000 to Hon. C. C. Evans*

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

*Alex. Bequergard alias Peter Hanson*  
guilty thereof, I order that he be admitted to bail in the sum of *100* Hundred Dollars — and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated *April 15 1882* *J. H. Martin* Police Justice.

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

Dated ..... 1882 ..... Police Justice.

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

Dated ..... 1882 ..... Police Justice.

0272

Sec. 198-200.

DISTRICT POLICE COURT.

CITY AND COUNTY }  
OF NEW YORK, }

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

Question. What is your name?

Answer. *Alex. Beauregard*

Question. How old are you?

Answer. *59 years.*

Question. Where were you born?

Answer. *Copenhagen, Denmark.*

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

Answer. *363 West 50th Street, New York City, since November 1881.*

Question. What is your business or profession?

Answer. *Professor of French and German Languages.*

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

Answer

*I am guilty of the charge.*

Taken before me, this *15<sup>th</sup>*  
day of *April* 188*2*

*Alex. Beauregard*

*J. H. McArthur* Police Justice.

0273

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK, } ssof No. 20 West 32<sup>nd</sup> Street,

Street,

being duly sworn, deposes and says, that on the 7<sup>th</sup> day of April 1882at the Apartment House at 20 West 32<sup>nd</sup> Street in the City of New York,  
in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time

the following property, viz:

Two (2) Opera Glasses value at \$19.

the property of Mr. J. J. Smith and Mrs. J. J. Korman  
and in deponent's 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 Alex. Beauregard (now here) from the  
fact that on said date the said Beauregard  
came to deponent's house and asked to be shown some fur-  
nished rooms. Deponent showed the said Beauregard two  
suite of rooms and after said Beauregard had left the  
above premises a short time the said deponent discovered  
that the said property had been taken, stolen and carried away  
and the said Beauregard admitted and confessed in a few  
minutes in the presence of deponent that he had taken,  
stolen and carried away said property

Elijah Henderson.

Sworn before me this

11<sup>th</sup> day of April

1882

Police Justice.

0274

BOX:

64

FOLDER:

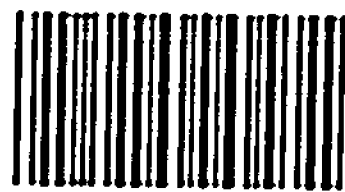
722

DESCRIPTION:

Bennett, William

DATE:

04/14/82



722

0275

WITNESSES.

Paul J. [unclear] 1884

C. Kneiss  
Counsel

Filed 14 day of April 1883

Pleads *not guilty* 17.

THE PEOPLE

vs.

INDICTMENT.  
Larceny from the Person.

William Bennett

*McDonald*

John McKee  
District Attorney.

21 April 21, 1883

True & correct  
A True Bill

James [unclear]  
Foreman.

V.P. 18 months  
Apr 24

0276

**Court of General Sessions**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*William Bennett*

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

*William Bennett*

of the CRIME OF LARCENY (from the person)

committed as follows:

The said

*William Bennett*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *twelfth* day of *April* in the year of our Lord on thousand eight hundred and eighty-*two*, at the Ward, City and County aforesaid, with force and arms,

*One Watch of the Value of five Dollars*

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

*John McKee*  
**DANIEL C. ROLLINS, District Attorney.**

0277

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,

Police Court - District 325

THE PEOPLE, &c.,

VS THE COMPLAINANT OF

William R. Brown  
328 " Broadway  
William Bennett

Offence, Larceny  
from Person

Dated April 13th 1882

Magistrate,  
Clerk,  
Officer,

Witness  
of Peter Kelly  
of the Recorder's Office.

No. 1  
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No. 3  
No. 4  
No. 5  
No. 6  
No. 7  
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No. 86  
No. 87  
No. 88  
No. 89  
No. 90  
No. 91  
No. 92  
No. 93  
No. 94  
No. 95  
No. 96  
No. 97  
No. 98  
No. 99  
No. 100

RECEIVED  
APR 13 1882  
CITY CLERK

72 St. Street  
2nd E. Road

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named William Bennett guilty thereof, I order that he be committed to bail in the sum of \$100.00 and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated April 13 1882 Solomon B. Smith Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.



0278

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, }

Insh

DISTRICT POLICE COURT.

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

Question. What is your name?

Answer.

*William Bennett*

Question. How old are you?

Answer.

*Twenty eight years*

Question. Where were you born?

Answer.

*U.S.*

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

Answer.

*174 Bleeker St. Nineteen months*

Question. What is your business or profession?

Answer.

*Waiter.*

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

Answer.

*I am not guilty**William Bennett*

Taken before me, this

*13th*

day of

*April*

1887

*Edouard Smith*  
Police Justice.

0279

*Inv*

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }  
OF NEW YORK. }

of No. *328 East 40th* Street, *19 years* *Optician*

being duly sworn, deposes and says, that on the *12th* day of *April* 1882

at the *Chatham Square Elevated Rail Road* City of New York,

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

of deponent *and from his person in the*  
*right time being between the hours of 6 and 6.30 o'clock*  
the following property, viz:

*One silver watch of the value*  
*of five dollars*

the property of

*Deponent*

and that this deponent

has a probable cause to suspect and does suspect, that the said property was feloniously taken,  
stolen, and carried away by *William Bennett* (now

*here) for the reason that deponent felt*  
*said Bennett when he took said*  
*watch from deponent's vest pocket the*  
*said vest being at the time upon the*  
*body and person of deponent, and*  
*deponent also caught said Bennett*  
*with his hand upon the chain of said*  
*watch, and deponent held said*  
*Bennett until he was arrested by officer*  
*Peter Kelly of the 4th Precinct Police.*

*William R. Johnson*

*Sworn before me this 13th day of April 1882*  
*John D. Smith*  
Police Justice

0280

BOX:

64

FOLDER:

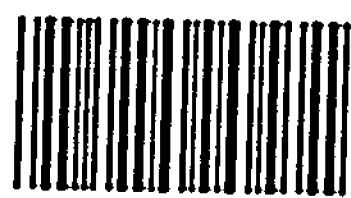
722

DESCRIPTION:

Berry, Matthew

DATE:

04/13/82



722

WITNESSES.

1790.

Counsel H.C.

Filed 13 day of April 1882

Plends *John H. C.*

*John H. C.* THE PEOPLE

*John H. C.* *John H. C.*

*Matthew C. C.*

INDICTMENT.  
Larceny from the Person.  
in the month of June

*John H. C.*  
~~DANIEL H. ROLLINS,~~

22 April 21, 1882  
District Attorney.

Plends H.C.

A True Bill.

*John H. C.*

Foreman.

*John H. C.* Ref April 24.

0282

**Court of General Sessions**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Matthew Berry*

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

*Matthew Berry*

of the CRIME OF LARCENY (from the person)

committed as follows:

The said

*Matthew Berry*

late of the First Ward of the City of New York, in the County of New York, afore-  
said, on the *Sixth* day of *April* in the year of our Lord

on thousand eight hundred and eighty-*Five*, at the Ward, City and County

aforesaid, with force and arms, *in the nighttime of said day*

*One Watch of the Value  
of Sixty five dollars*

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

*John McKee*  
**DANIEL G. ROLLINS, District Attorney.**

0283

Waltertown # 1111 when next week

PART 2.

THE COURT ROOM IS IN THE THIRD STORY, AND FRONTING THE PARK.

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

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To John H. Nichols  
of No. 184 East 57 Street,

GIVEN:

WE COMMAND YOU, That, all business and excuses ceasing, you appear in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the 21 day of April instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Matthew Perry

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

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall, in our said City, the first Monday of April in the year of our Lord 1882

DANIEL A. ROBBINS, District Attorney.

John McLeod

0284

BAILED.

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

3/6  
Police Court--5--

THE PEOPLE, &c.,  
VS THE COMPLAINANT

District.

John of 1219  
157 1/2 1/2  
Matthew Berry

Offence. Garcedon person  
in the night time.

Dated 8 April 1882  
W. J. Jones Magistrate.

Residence Officer.

Witnessed by  
James Bruckert  
14 S. Church St.

No. .... Street,  
No. .... Street,

James Bruckert  
14 S. Church St.

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

guilty thereof, I order that he be admitted to bail in the sum of 200 Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated 8 April 1882 W. J. Jones Police Justice.

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

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

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

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

0285

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

187  
DISTRICT POLICE COURT.

Matthew Berry

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

Question. What is your name?

Answer.

Matthew Berry

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

Syracuse New York. 7 years

Question. What is your business or profession?

Answer.

Bell man in a hotel (The Victoria)

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

Answer.

I am not guilty

Matthew Berry

Taken before me, this

day of

April

1882

My Town

Police Justice.



0286

First

District Police Court. →

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK, } ssof No. 154 East 57<sup>th</sup>John W. Nichols aged 42 years. Clerk  
Street.being duly sworn, deposes and says, that on the 6<sup>th</sup> day of April 1882

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 in the night time the following property, viz:

One gold watch of the value of sixty five dollars

Sworn before me this

day of

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

Matthew Berry (now here) from the fact that while deponent was on the Bowery in said city about the hour of three o'clock on the morning of said day deponent felt some person take the aforesaid property from the pocket of the vest then and there worn by deponent as a part of his bodily clothing. subsequently deponent was informed by officer James Dougherty that he said officer saw said defendant by the

Police Justice.

1882

person of deponent and saw him run away from deponent and pursued said defendant and saw said defendant drop the aforesaid watch in the street and caught said defendant and arrested him

Wherefore deponent charges said defendant with taking stealing and carrying away from the person of deponent the aforesaid property

Sworn to before me this 8 day of April 1882  
*John H. Nichols*  
 City Comm. Police Justice

City and County of New York } ss

James Dougherty aged 23 years of the 14th Precinct Police being duly sworn says that he has heard read the foregoing affidavit and the attestation therein contains which relates to deponent is true to deponent's own knowledge

Sworn to before me this 8 day of April 1882  
*James Dougherty*  
 City Comm. Police Justice

District Police Court.

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

AFRIDAVIDIT—Larceny.

Dated 188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0288

BOX:

64

FOLDER:

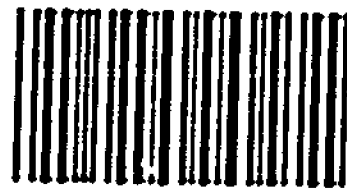
722

DESCRIPTION:

Brady, Thomas

DATE:

04/10/82



722

0289

**WITNESSES.**

Day of Trial. *December*  
Counsel, *James*

Filed 10 day of April 1882

Pledge 1/1 cell.

# THE PEOPLE

५३.

Thomas Brady

*John McLean*  
PRESIDENT

**District Attorney**

# A True Bill.

*James Tolbert*

**Էություն.**

Oil 1/2

Dear Mr. Thompson,

July 6 Mrs S

St. Paul

0290

# Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

vs.

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

of the CRIME OF

committed as follows :

The said

Court of General Sessions of the Peace  
 The People of the State of New York  
 against  
 Thomas Brady

The Grand Jury of the County of New York accuse Thomas Brady of the Crime of Burglary in the second degree committed as follows. The said Thomas Brady late of the Eighth Ward of the City of New York, in the County of New York, appeared on the third day of April in the year eighteen hundred and eighty-two being in the dwelling house of one John Potter, in the said City and County aforesaid, situated Five Crook of the value of twenty dollars each. Three drawers of the value of two dollars each of the goods chattels and personal property of the said John Potter in the said dwelling house then and there being, in the said dwelling house then and there feloniously did attempt to steal take and carry away and the said Thomas Brady knowing he committed the crime aforesaid

in the manner and form aforesaid  
 afterwards to wit, on the day and  
 in the year aforesaid in the night-  
 time of the said day, an outer door  
 of the said Dwelling house then  
 and there feloniously and Burglarious-  
 ly did break to get out of the said  
 Dwelling house. Against the  
 form of the Statute in such case  
 made and provided and against  
 the peace of the people of the State  
 of New York and their dignity.

John W. Keon  
 District Attorney

See. 442 at 978.63



0294

Sec. 193-200.

CITY AND COUNTY  
OF NEW YORK.

2nd DISTRICT POLICE COURT.

*Thomas Brady*

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

Question. What is your name?

Answer.

*Thomas Brady*

Question. How old are you?

Answer.

*21 Years old*

Question. Where were you born?

Answer.

*Columbus, Ohio.*

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

Answer.

*40 East Broadway; 1 month.*

Question. What is your business or profession?

Answer.

*Steam and gas fitter*

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

Answer.

*I am not guilty**Thomas Brady*

Taken before me, this

day of

188

*J. M. Lattin*

Police Justice.

0295

Police Court—Second District.

City and County  
of New York.

ss:

Alma Potter. Age 24.  
Housekeeper.

of No.

62 Macdonough

Street, being duly sworn,

deposes and says, that the premises No.

62 Macdonough

Street,

8th

Ward, in the City and County aforesaid, the said being a

Dwelling house

and which was occupied by deponent

in fact

and her father,

John Potter

as a place of abode

were BURGLARIOUSLY broken

open to get out of the same by means of forcibly  
unlocking the front basement door of said premises, being  
entered with intent in the said dwelling house to  
commit a criminal

on the Morning of the

3rd

day of

April

1882

and the following property feloniously taken, stolen, and carried away, viz:

A quantity of men's and women's  
wearing apparel together of the value  
of twenty five dollars, and  
good and lawful money of the issue of  
the United States Government, consisting of  
notes & bills of various denominations of  
values and amounting to the sum and  
value of fifteen dollars - said property  
being in all of the value of forty dollars

the property of deponent and her father John Potter and  
her sister Clara Potter.

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 <sup>attempted to be</sup> Thomas Brady (nobleman)

for the reasons following, to wit: That on the day aforesaid  
at about the hour of 6.30 O'clock P.M.  
deponent was lying abed and as she  
woke up she saw the accused in her  
room, and that said Brady then went  
into the hallway: that deponent put  
on her clothes and looked into the said  
hallway and saw said Brady open the  
front basement hall door and run into  
the street, and that deponent pursued  
the said Brady and caught him, and

0296

that in a struggle with defendant he  
got free when defendant again pursued  
him shouting to stop thief until his  
arrest.

Shown to before me this

3<sup>rd</sup> day of June 1882

Almon Parker

W. D. Patterson, Police Justice

0297

BOX:

64

FOLDER:

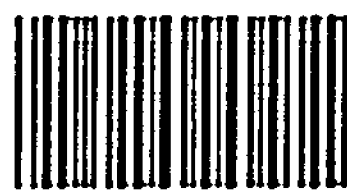
722

DESCRIPTION:

Branch, Reuben

DATE:

04/04/82



722

No 16.

Riled 4 day of April 1882  
Pleads *M. G. Kelly*

THE PEOPLE

*Assault and Battery—Felonious.*

*vs. L. E. Kelly*

*Robert Kelly*

*Daniel C. Kelly*

District Attorney.

A True Bill.  
2<sup>d</sup> April 5. 1882  
Judge Charles H. Smith  
James H. Kelly  
10.

*at* *10. P. 4 years.*

# Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Reuben Branch*

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

of the Crime of Shooting at another with intent to kill, committed as follows:

The said

*Reuben Branch*  
late of the City of New York, in the County of New York, aforesaid,  
on the *twelfth* day of *March* in the year of our Lord  
one thousand eight hundred and eighty *two* with force and arms, at the City and  
County aforesaid, in and upon the body of *Emma Branch*  
in the peace of the said People then and there being feloniously did make an assault  
and to, at and against *her* the said *Emma Branch*  
a certain *pistol* then and there loaded and charged with gunpowder and one  
lead bullet, which the said *Reuben Branch*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge,  
with intent *her* the said *Emma Branch*

thereby then and there, feloniously and wilfully to kill, against the form of the Statute  
in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

## SECOND COUNT.

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

of the Crime of Attempting to Discharge a *pistol* at another with Intent  
to Kill, committed as follows:

The said

*Reuben Branch*  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said

*Reuben Branch*  
with force and arms, in and upon the body of the said *Emma Branch*  
in the peace of the said people then and there being, wilfully and feloniously did make  
an assault and to, at and against *her* the said *Emma Branch*  
a certain *pistol* then and there loaded and charged with gunpowder and one  
lead bullet, which the said *Reuben Branch*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously, did then and there attempt to discharge,  
with intent *her* the said *Emma Branch*

thereby then and there, feloniously and wilfully to kill, against the form of the Statute  
in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

## THIRD COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Reuben Branch*  
 of the Crime of Shooting and Discharging off a *pistol* at another, without  
 justifiable or excusable cause, with intent to injure such other, committed as follows:

The said *Reuben Branch*  
 afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Emma Branch*  
*Branch* then and there being, wilfully and feloniously did make an  
 assault and to, at and against *her* the said *Emma Branch*  
 a certain *pistol* then and there loaded and  
 charged with gunpowder and one leaden bullet, which *him* the said  
 in *his* right hand, then and there had and held, wilfully and feloniously, and  
 without justifiable or excusable cause, did then and there shoot off and discharge,  
 with intent, then and there, thereby *kill* the said  
*Emma Branch*  
 wilfully and feloniously then and there to injure, 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 Grand Jury aforesaid, by this indictment, further accuse the said  
*Reuben Branch*  
 of the Crime of Attempting to Shoot off and Discharge a *pistol*  
 at another, without justifiable or excusable cause, with intent to injure such other,  
 committed as follows:

The said *Reuben Branch*  
 afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Emma Branch*  
*Branch* then and there being, wilfully and feloniously, did make an  
 assault and to, at and against *her* the said *Emma Branch*  
 a certain *pistol* then and there loaded and  
 charged with gunpowder and one leaden bullet, which *him* the said  
 in *his* right hand, then and there had and held, wilfully and feloniously, and  
 without justifiable or excusable cause, did then and there attempt to shoot off and  
 discharge, with intent, then and there, thereby *kill* the said  
*Emma Branch*  
 wilfully and feloniously then and there to injure, 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.

*Daniel G. Rollins*  
 DANIEL G. ROLLINS, District Attorney.

0301

BAILED,

No. 1, by .....

Residence .....

No. 2, by .....

Residence .....

No. 3, by .....

Residence .....

No. 4, by .....

Residence .....

283  
Police Court - 2<sup>d</sup> District

THE PEOPLE, &c.,

vs. THE COMPLAINANT OF

William Branch

1358 West 15<sup>th</sup> St.

William Branch

Offence, ...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

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

guilty thereof, I order that he <sup>held to answer the crime and to</sup> be admitted to bail in the sum of ... Hundred Dollars — and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated March 30<sup>th</sup> 1882 ... Police Justice.

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

Dated ... 188 ... Police Justice.

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

Dated ... 188 ... Police Justice.



0302

Sec. 198-200

CITY AND COUNTY  
OF NEW YORK, } ss.

DISTRICT POLICE COURT.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*Ruben X Branch*  
witness

Taken before me, this 30<sup>th</sup>

day of March 1882

*J. J. [Signature]*  
Police Justice.

0303

## AFFIDAVIT—FELONIOUS ASSAULT, &amp;c.

Second District Police Court.

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

Emma Branch.

age 23. Servant

of No. 253

West 28<sup>th</sup>

Street, being duly sworn, deposes and says

that on the

12<sup>th</sup>

day of

March

in the year

1882, at the City of New York she was violently and feloniously assaulted and beaten by

John Branch (now known) who wilfully and maliciously did discharge at and against the person of this deponent the contents of one chamber of a revolving pistol, loaded with powder and ball and which said pistol was then and there had and held in the right hand of him, said John Branch that the ball discharged as aforesaid from the said pistol struck deponent on the left side of her head causing a severe wound, and that deponent was so assaulted and beaten

with the felonious intent to take the life of deponent, <sup>up to</sup> do <sup>her</sup> him bodily harm, and without any justification on the part of the said assailant:

Wherefore this deponent prays that the said assailant may be apprehended, and dealt with according to law.

Sworn to before me this

20<sup>th</sup> day

of

March

1882

Emma Branch

J. J. Halliwell Police Justice.

0304

BOX:

64

FOLDER:

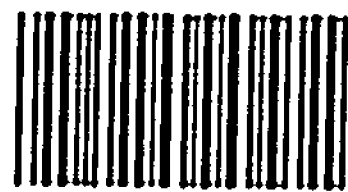
722

DESCRIPTION:

Braun, Charles

DATE:

04/25/82



722



0306

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

THE PEOPLE OF THE STATE OF  
NEW YORK.

*Charles* <sup>against</sup> *Braun*

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

*Charles Braun*

of the crime of

*Assault and Battery*

committed as follows:

The said

*Charles Braun*

late of the First Ward of the City of New York, in the County of New York, aforesaid,  
on the *twentieth* day of *April* in the year of our Lord  
one thousand eight hundred and eighty *two* at the Ward, City and County  
aforesaid, in and upon the body of *Martha Burke*  
in the peace of the said people then and there being, with force and arms, unlawfully  
did make an assault and *her* the said *Martha Burke*  
did then and there unlawfully beat, wound and ill-treat, to the great damage of the  
said *Martha Burke* and against the peace of the  
People of the State of New York, and their dignity.

~~DANIEL C. COLLINS,~~

~~DEPUTY DISTRICT ATTORNEY~~

*John McKeon*  
District Attorney.

Form 11.

**Police Court, Third District, Halls of Justice.**

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

of No. 27 <sup>1</sup>/<sub>2</sub> Christy

Martha Burke Davenport 19 years,

**Street,**

on Friday the 21<sup>st</sup>

being duly sworn, deposes and says, that

day of April

in the year 1862, at the City of New York, in the County of New York.

She was violently ASSAULTED and BEATEN by Charles Brown (now here) who, while deponent and said Brown, were in a saloon in house No 19 Bowery, at half past two O'Clock in the morning; did strike deponent upon her eye and face with a hard instrument, then and there held in his said Brown's hand, inflicting a painful contusion; and that he did assault and beat deponent without any justification on the part of the said assaultant.

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

*Sicorn to before me. this*

day of April

187

Miss Martha Burke

day of April 1894  
*Merrett*  
 POLICE

## POLICE JUSTICE.

0308

City and County of New York, ss.

Police Court—

3<sup>d</sup> District.

THE PEOPLE

vs.

Charles Brown

On Complaint of

Martin Burke

For

Assault & Battery

After being informed of my rights under the law, I hereby ~~begin~~ <sup>begin</sup> ~~and demand~~ <sup>and demand</sup> a trial by Jury. on this complaint, ~~and demand a trial~~ at the COURT OF ~~SPECIAL~~ <sup>Special</sup> SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated April 21 1882

Marcus A. Brown

POLICE JUSTICE.

C. Brown





0310

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK }

3

DISTRICT POLICE COURT.

*Charles Braun*

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

Question. What is your name?

Answer. *Charles Braun*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *29 Bowery, three years.*

Question. What is your business or profession?

Answer. *Pedlar.*

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

Answer. *I struck her, but I had nothing in my hand*

Taken before me, this *21*  
day of *April* 188*2*

*C. Brown.*

*Mervin Otis*  
Police Justice.

03 11

BOX:

64

FOLDER:

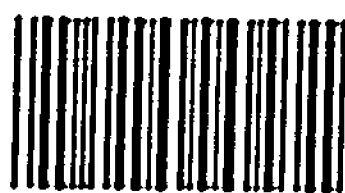
722

DESCRIPTION:

Brown, Patrick

DATE:

04/21/82



722

03 12

BOX:

64

FOLDER:

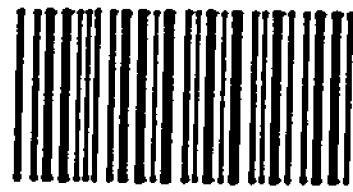
722

DESCRIPTION:

Fennich, Jacob

DATE:

04/21/82



722

710-1514

Counsel, *W. H. H.*  
Filed *11* day of *April* 1882

Pleads *Not Guilty*

THE PEOPLE  
vs.

*Patrol Brown*  
*Jacob Fennick*

HURGLARY—First Degree, and  
Grand Larceny.

*John McLean*

~~Daniel G. Robbins,~~

*Charles E. P.* District Attorney.  
*Charles E. P.* District Attorney.

A True Bill.

*W. H. H.*  
*W. H. H.*

*April 25th*

Verdict of Guilty would specify which count.

*W. H. H.*  
*W. H. H.*

0314

# Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Patrick Brown*  
*vs Jacob Fennick*

The Grand Jury of the City and County of New York, by this indictment, accuse  
of the CRIME OF *Patrick Brown*  
*Jacob Fennick*

committed as follows:

The said *Patrick Brown and Jacob Fennick*  
late of the *Sixteenth* Ward of the City of New York, in the County of  
New York, aforesaid,  
on the *Seventeenth* day of *April* in the year of our Lord  
one thousand eight hundred and eighty *Two* with force and arms,  
about the hour of *Three* o'clock in the *day* time of the same day, at the  
Ward, City and County aforesaid, the dwelling house of *William H. Barnes*

there situate, feloniously and burglariously did break into and enter, by means of  
*Forcibly breaking the hinges of an outer door there*  
whilst there was then and there some human being, to wit, *one William Fitzpatrick*  
within the said dwelling house *they* the said

*Patrick Brown and Jacob Fennick*  
then and there intending to commit some crime therein, to wit: the goods, chattels and  
personal property of *the said William H. Barnes*  
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 Grand Jury aforesaid, by this indictment, further accuse the said  
*Patrick Brown and Jacob Fennick*  
of the CRIME OF *Grand Larceny*

committed as follows:

The said *Patrick Brown and Jacob Fennick*  
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, about the hour of *Three*  
o'clock in the *Three* day time of said day, ~~the said~~  
*Fifty feet of Lead pipe of the value of*  
*one dollar each foot.*

of the goods, chattels, and personal property of *William H. Barnes*  
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.

*John McKee*  
DANIEL O. ROLLINS, District Attorney.

0315

Complainant; Open  
J. J. Patrick, in House  
of Representatives in  
amount of \$500.  
at New York

BAILED.

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

Police Court District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William J. Patrick  
House of Representatives  
District Attorney  
New York

Dated April 18, 1882

John J. Patrick  
District Attorney  
New York

Witnessed by O. A. Harris

No. 1, by O. A. Harris

Witnessed by A. Harris

No. 2, by A. Harris

No. 3, by A. Harris

Cornelius A. Harris

Without Bail

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Patrick, William J. and Jacob J. Patrick guilty thereof, I order that he be committed to the Warden or Keeper of the City Prison until he is removed to the City of New York and be com-

Dated April 18, 1882

John J. Patrick  
Police Justice.

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 188

Police Justice.

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

Dated \_\_\_\_\_ 188

Police Justice.

03 16

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, }

*Paul* DISTRICT POLICE COURT.

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

Question. What is your name?

Answer.

*Jacob Ferrick*

Question. How old are you?

Answer.

*30 years old*

Question. Where were you born?

Answer.

*New York.*

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

Answer.

*359 West 27 Street, 4 years.*

Question. What is your business or profession?

Answer.

*Mobile cutter.*

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

Answer.

*I went in there merely for a glass of beer.*

Taken before me, this

day of

*1st*  
*June* 188 *1*

*Jacob Ferrick*

*J. J. [Signature]* Justice.

0317

Sec. 193-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*John* DISTRICT POLICE COURT.

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

Question. What is your name?

Answer. *Patrick Brown*

Question. How old are you?

Answer. *27 years old*

Question. Where were you born?

Answer. *New York*

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

Answer. *# 344 - 26<sup>th</sup> Street since 1877.*

Question. What is your business or profession?

Answer. *Box - Maker*

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

Answer. *I wait in to get a glass of beer*

*his*  
*Patrick X Brown*  
*sworn*

Taken before me this *18<sup>th</sup>*

day of *April* 188*7*

*J. M. Patterson* Police Justice.



0318

Police Court—Second District.

City and County of New York. ss:

*William Fitzpatrick*  
 Age 26. Bar Tender  
 of No. 325 West 25<sup>th</sup> Street, being 1st St. Street,  
 deposes and says, that the premises No. 325 West 25<sup>th</sup> Street, 16<sup>th</sup> Ward, in the City and County aforesaid, the said being a dwelling house, and which was <sup>in part</sup> occupied by ~~Edward~~ *Edward* *Harford* as a liquor saloon.

were **BURGLARIOUSLY** broken open and entered by means of forcibly breaking the hinges of a door leading from the said saloon into the main hallway of said premises, with intent to commit a crime therein.

on the afternoon of the 17<sup>th</sup> day of June 1882  
 and the following property feloniously taken, stolen, and carried away, viz:

About fifty feet of Lead pipe and  
 two ale pumps together of the  
 value of forty dollars

the property of *William N. Barnes*, the owner of said premises and in *deponent's* care and charge.  
 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 *Patrick Brown* and *Jacob Penrich* (both now here),  
 for the reasons following, to wit:

That about two o'clock P.M. of said day the said door was intact and securely locked and fastened by this deponent and at the said time the said ale pumps and lead pipe were secure in their place. That about four o'clock P.M. deponent caught said *Penrich* in the hallway of said premises with the said lead pipe in his possession in a bag and deponent found the said broken open as aforesaid.

0319

and the said, all pumps were trying on  
the floor  
in said Store.

That defendant was informed by  
officer Charles O. Davis, that at  
the time and place aforesaid he  
caught said Brown in the act of  
forcing his way out of the cellar  
trap door of said premises.

Sworn to before me this

18<sup>th</sup> day of June 1882

Wm. Fitzpatrick

Charles O. Davis

St. John's Police Court.

City and County of New York, ss: -

Charles O. Davis, a police  
officer, attached to the 16<sup>th</sup> Police  
Precinct being duly sworn, deposes  
and says, I have heard read the  
 foregoing affidavit of William Fitz-  
patrick and so much thereof as  
relates to me is true of my own  
knowledge.

Sworn to before me this

18<sup>th</sup> day of June 1882

Charles O. Davis

St. John's Police Court.

*Court of General Sessions*

*The People*

Plaintiff,

AGAINST

*Jacob Tenenich*

Defendant.

*Affidavit to Character*

KINTZING, SIMONSON & MEYER,

*Attorneys for Deft.*

For Office and Office Address.

No. 15 CENTRE STREET,  
NEW YORK CITY.

*J. M. Fred N. Long the  
Recorder &c.*

Court of General Sessions

The People

vs

Jacob Feunich

City and County of New York vs

Isaac Fisher being  
 duly sworn says I am Captain of Engine  
 Company Number 11 of the Fire Depart-  
 ment of New York City - and have been in  
 such capacity - seven years - I know  
 Jacob Feunich and have known him  
 ten years last past, and have been ac-  
 -customed to see him two or three times a  
 week during the last ten years I know  
 other people who know him and I know  
 that his character for honesty is of the very  
 best. I have never heard anything against  
 his character for honesty, except the charge  
 made in above case. I am also well  
 acquainted with his family and know  
 them to be quiet - honest and respectable  
 people. I also know that defendant is a  
 married man and has a wife and three children  
 dependent upon him for support.

Sworn to before me

this 26<sup>th</sup> day of April 1882

Andrew F. W. Mickle

Notary Public, N.Y. County.

Isaac Fisher

County of General Sessions

The People

Jacob Ferrich

City of New York ss

August - Sailer  
being duly sworn says & verities at Court  
1-26 6 Avenue New York City - I am engaged  
in keeping a restaurant - at above place  
I know Jacob Ferrich and have known  
him for a period of seven years. I know  
a great many people who know him  
and I know that his character for honesty  
is of the very best and I have never heard  
anything against his character for honesty  
before the charge <sup>was</sup> in this case. I know  
his family to be quite honest and respect-  
able. and I also know defendant to be  
a married man having a wife and  
three children living and dependent upon  
him for support.

Given before me

this 26<sup>th</sup> day of April 1882

Andrew P. Thickett  
Notary Public

City of New York  
(23)

August Sailer

County of Grand Jurors  
 The People }  
 vs  
 Jacob Henrich }

City & County of New York ss  
 Joseph W. Schmieder of No.  
 147 West 30<sup>th</sup> Street this city being duly  
 sworn says that he is engaged in the  
 business of manufacturing Bakens Utensils  
 at the above place. That he knows the  
 defendant above named ~~for~~ the  
 last 12 years, during which time he  
 has seen him almost daily, and that  
 his character for honesty up to this  
 time has been Excellent.

Deponent further says that he is acquain-  
 ted with the family of the defendant who  
 are very respectable people, and deponent  
 further says that the defendant has a  
 wife and three children dependent upon  
 him for support.

Sworn to before me this

26 day of April 1888

Maurice Meyer

Notary Public

W. J. Co

Joseph W. Schmieder

(W. J. Co)

Court of General Sessions

The People

vs  
Jacob Kurnick

City of New York

George Weber of 21

East 15<sup>th</sup> Street this city being duly sworn says that he is engaged in the Restaurant business at the above number. That he has known the defendant above named for the last 8 years during which time he has seen him almost daily, and that his character up to this time for honesty has been excellent, never having heard of him being charged with the commission of any crime.

Sworn to before me this

16 day of April 1885

Maurice Meyer

Notary Public

ref.

George Weber

0325

Court of General Sessions  
The People }  
vs  
Jacob Hensch }

City of New York ss

George Hensch of No.  
147 West 31<sup>st</sup> St. City New York duly sworn  
says that he is the brother of the  
defendant above named. That during  
the last four years he has been  
working for him as a bar-tender, pre-  
vious to which he was engaged in  
working at his trade as a wood engraver.  
Deponent further says that the defen-  
dant has never been arrested before  
charged with the commission of any  
crime, and that his character for  
honesty has been good, and that he  
has a wife and three children  
dependent upon him for support.

Subscribed and sworn to before me this

26 day of April 1882

Maunce Meyer

Notary Public

W. J. B. (113)

George Hensch



0326

County of General Sessions  
The People }  
vs  
Jacob Henrich }

City of New York

Deft. W. Henrich, Jr. of the  
151 West 30<sup>th</sup> Street this city being duly  
sworn says that he is engaged in the  
milk business at the above place.  
That he has known the defendant  
above named for the last 12 years,  
during which time he has seen him  
almost daily, and that his character  
for honesty up to this time has been  
most excellent, never before having been  
arrested charged with the commission  
of any crime.

Given to before me this }  
26 day of April 1881 } Jos. Schmiedeknecht  
Maurice Meyer  
(Notary Public for N.Y.)  
w. J. C.

0327

BOX:

64

FOLDER:

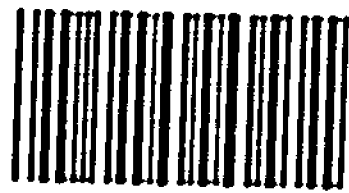
722

DESCRIPTION:

Brown, Thomas

DATE:

04/05/82



722

0328

BOX:

64

FOLDER:

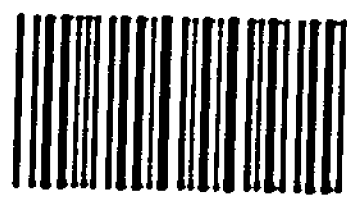
722

DESCRIPTION:

Lee, James

DATE:

04/05/82



722

0329

BOX:

64

FOLDER:

722

DESCRIPTION:

McNally, Edward

DATE:

04/05/82



722

0330

BOX:

64

FOLDER:

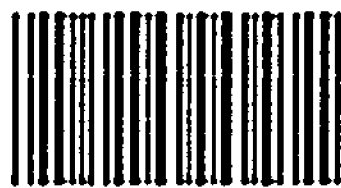
722

DESCRIPTION:

Lally, Thomas

DATE:

04/05/82



722

Per Cordino

**ROBBERY-First Degree.**

County of Washington  
 State of Washington  
 I, \_\_\_\_\_, Clerk of the Superior Court of the County of Washington, do hereby certify that the within and foregoing is a true and correct copy of the original of the same as the same is on file in the office of the Clerk of the Superior Court of the County of Washington, at the City of Seattle, in the State of Washington, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

0331

0332

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

THE PEOPLE OF THE STATE OF  
NEW YORK,

against  
*Thomas Brown, James Lee, Edward McHally and Thomas Lally*

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

*Thomas Brown, James Lee, Edward McHally and Thomas Lally*  
of the crime of Robbery in the first degree,

committed as follows:

The said

*Thomas Brown, James Lee, Edward McHally and Thomas Lally*

late of the First Ward of the City of New York, in the County of New York, aforesaid,  
on the *seventeenth* day of *December* in the year of our Lord  
one thousand eight hundred and eighty-*one* at the Ward, City and County aforesaid,  
with force and arms, in and upon one *James F. Weiner*  
in the peace of the said People then and there being, feloniously did make an assault and

*one watch of the value of forty dollars*  
*one chain of the value of nine dollars*  
*one knife of the value of one dollar*

of the goods, chattels and personal property of the said

*James F. Weiner*

from the person of said

*James F. Weiner*

and against

the will and by violence to the person of the said *James F. Weiner*  
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.

JOHN McKEON, District Attorney.

89 11 1882

Filed 10<sup>th</sup> day of March 1882

Pleads *Stimily (x)*

THE PEOPLE

*Thomas Brown*

*Ignacio Lee*

*Edward Lee*

*Thomas Lally*

*John McLean*  
BENJ. K. PHILLIPS,

22 March 30. 1882

No. 3 - *Fried*

A TRUE BILL

*John Lally*

Foreman.

*Henry H. H. H.*

*John Lally*

*John Lally*

*John Lally*

ROBBERY - First Degree.

District Attorney



0334

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

THE PEOPLE OF THE STATE OF  
NEW YORK.

*Thomas Brown James Lee Edward McHally and Thomas Lally*  
The Grand Jury of the City and County of New York by this indictment accuse  
*Thomas Brown James Lee Edward McHally and Thomas Lally*  
of the crime of *Robbery*  
committed as follows:  
The said *Thomas Brown James Lee Edward McHally and Thomas Lally*

late of the First Ward of the City of New York, in the County of New York, aforesaid,  
on the *Seventeenth* day of *December* in the year of our Lord  
one thousand eight hundred and ~~eighty two~~ *eighty two*, at the Ward, City, and County  
aforesaid, with force and arms, in and upon one *James M. Brown*  
in the peace of the said People then and there being, feloniously did make an assault and

*one watch of the value of forty five dollars*  
*one chain of the value of five dollars*  
*one knife of the value of one dollar*

of the goods, chattels and personal property of the said

from the person of said

the will and by violence to the person of the said *John A. Brown* and against  
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.

*John A. Brown*  
*BENJ. R. PHELPS*, District Attorney.



0336

Sec. 195-200.

CITY AND COUNTY  
OF NEW YORK.

DISTRICT POLICE COURT.

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

Question. What is your name?

Answer.

*Edward M. Kelly*

Question. How old are you?

Answer.

*17 years.*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*555 West 58th with my Father & Mother - three months.*

Question. What is your business or profession?

Answer.

*I am working in a Flax Mill.*

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

Answer.

*I did not have a knife - I was there. I met the Complainant and I said Hello! to him. I shook hands with him and because he - Complainant witness - would not shake hands with me, I left. Tom Brown and Lefty Lee. They attack the Complainant witness with other boys. Tom Brown has the knife - he showed the knife to me on the following Monday the 19th of December. Tom Brown told me if I took on him he would fix me -*

Taken before me, this

*6th*

day of

*January*

1882

*Edward M. Kelly**R. J. Morgan*

Police Justice.

0337

Sec. 193-200.

CITY AND COUNTY }  
OF NEW YORK. }

DISTRICT POLICE COURT.

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

Question. What is your name?

Answer.

*James Lee*

Question. How old are you?

Answer.

*21 years of age*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*227 West 60th St. 3 months*

Question. What is your business or profession?

Answer.

*Driver*

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

Answer.

*I am not guilty of the charge.*

*James Lee*

Taken before me, this

day of

*March* 188*7*

*P. J. Morgan* Police Justice.

State of New York  
City & County of N.Y. *Ex. pt.*

James F. Wain. the Complainant  
Being duly sworn says on Oath.  
Feminization. I never spoke to Mr.  
Hally before this occurrence. I know  
John Brown. We used to work with  
him. I did not see him <sup>Mr. Hally</sup> the night  
I was beat. I do not know that  
he was present at the time I was  
beaten. I have not seen him since  
then to Mr. Hally's further purpose  
of settling this case -

Subscribed before me James F. Wain  
January 8<sup>th</sup> 1884  
A. L. Morgan  
Notary Public

Michael Colgan. witness for the People  
Being duly sworn says on Oath  
Feminization. I am a stationer  
N.Y. C. & N. R. R. I know Mr. Hally  
and have seen him often on N.Y.

Assume - I did not know his name.  
The fight occurred on 11th Avenue  
near 61st Street in front of a  
Saloon - He had a knife at the time  
of this fight in his hand - It was a  
a knife about six inches long -  
When he did this to me I went away  
and went to my house.

Sworn before me this  
17th day of January 1882

W. H. Coogan

R. L. Morgan  
Police Justice

Edward M. Kelly - one of the Defendants  
being fully sworn says: I am 17 years  
old nearly - I live with my parents.  
I moved from 58th Street to my present  
home - I went to school until 14 years.  
I have been working at selling paper  
and worked, until this fight occurred  
at a flax mill - I was not in Cam-  
pany with the other boys when this  
before the fight - I saw the other  
men strike the Complainant. I  
did not know the name of Wilson's



hated until the following Monday -  
 I was afraid to run away for  
 fear these other boys might whip  
 me either at the time or afterwards.  
 I did not threaten to hit Mr.  
 Cogan - I had no knife with me  
 I never did threaten anybody with  
 a knife - I went away after the  
 fight and did not go with  
 the other boys after the fight.

Sworn before me this }  
 17<sup>th</sup> day of January 1882 }

Edward M. Kelly

R. T. Morgan  
 Police Justice

Upon the Examination as given above I  
 am of the belief that the said Edward  
 M. Kelly is not guilty of the offense  
 charged against him. I hold him  
 as a witness for the People and  
 hold in bail for the sum of \$300<sup>00</sup>  
 to appear at the next Court of Criminal  
 Sessions of the Peace in & for the City  
 & County of New York.

New York  
 January 19<sup>th</sup> 1882.

R. T. Morgan  
 Police Justice  
 (N.Y. City)

0341

State of New York 2<sup>nd</sup> ss.  
City & County of N.Y. 4<sup>th</sup>

James F. Wain, the complaining witness being duly sworn says - I recognize Edward M. Mally (now here) as one of the parties present at the time I lost my watch and chain - I cannot say positively that he stole me and I did not see him take my watch, chain or pocket knife -

James F. Wain

Sworn to before me  
January 6<sup>th</sup> 1882

R. J. Morgan  
Notary Public.

State of New York 2<sup>nd</sup> ss.  
City & County of N.Y. 3<sup>rd</sup>

Michael St. Colgan - of No 874 - 11<sup>th</sup> Avenue being duly sworn says - I was present at the time the complainant James F. Wain - was assaulted and clobbered on the night of the 17<sup>th</sup> day of December 1881. and I recognize Edward M. Mally (now here) as the person who approached me the defendant and threatened me saying - "I will run you through if you interfere" - the said M. Mally holding in his up-  
turned hand what appeared to this defendant to be a table knife - This was done when this defendant attempted to interfere in behalf of the complaining witness - James F. Wain - M. St. Colgan

AFFIDAVIT - Robbery.

Police Court - Fourth District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James F. Wain

Dated

WITNESSES:

Sworn to before me  
January 6<sup>th</sup> 1882  
at New York in Manhattan



0342

CITY AND COUNTY  
OF NEW YORK, }

POLICE COURT—FOURTH DISTRICT.

James J. Merrin

of No. 884 11<sup>th</sup> Avenue

Street

being duly sworn, deposes and saith, that on the

17<sup>th</sup>

day of

December

1891, at the

22<sup>nd</sup>Ward of 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, without his consent and against his will, the following property, viz:

One double case Silver Watch.  
One gold plated chain. One pen knife

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 force and violence as aforesaid, byThomas Brown, James Lee,  
Edward McCall, and Thomas Lally

from the fact that while deponent was  
walking down the 11<sup>th</sup> Avenue between 60<sup>th</sup>  
& 61<sup>st</sup> Street on the night of said day the  
said Brown, Lee, McCall, and Lally  
each of whom struck deponent and  
knocked deponent down and while  
deponent was down the said property  
was taken from the person and possession  
of deponent by the said Brown, Lee, McCall,  
and Lally. And said Brown subsequently  
told deponent that he Brown would get  
the ticket for the said Watch and give  
it to deponent

James J. Merrin

day of

Signed before me, this

1892

Police Justice

0343

BOX:

64

FOLDER:

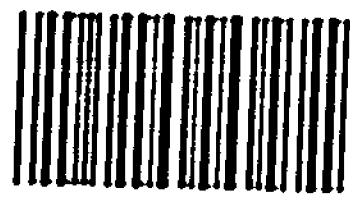
722

DESCRIPTION:

Burkhardt, Frank

DATE:

04/27/82



722

0344

WITNESSES.

No 208.

Counsel,

Filed 27 day of April 1882

Pleads

THE PEOPLE

*B.*

*Frank Burkhardt*

INDICTMENT.  
Larceny from the Person.

*John M. Hearn*  
~~Wm. C. HOLLIS~~  
District Attorney.

A True Bill.

*James A. Clark*  
Foreman.

*Chas. H. A. Feb 9 / 87*

0345

# Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Frank Burkhardt*

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

*Frank Burkhardt*  
of the CRIME OF LARCENY (from the person)

committed as follows:

The said

*Frank Burkhardt*

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

*one purse of the value of one dollar and fifty cents.*

*one promissory note for the payment of money of the kind commonly called United States Treasury notes, the same being then and there due and unsatisfied, of the denomination and of the value of five dollars*

*and one promissory note for the payment of money the same being then and there due and unsatisfied and of the kind commonly called bank notes of the denomination and of the value of five dollars*  
*and Silver coins of the United States of the number and denomination to the Grand Jury aforesaid unknown, of the value of one dollar*  
*and two pieces of the value of fifteen cents each.*

of the goods, chattels and personal property of one *Jennie W. De Witt*  
on the person of the said *Jennie W. De Witt* then and there being found,

from the person of the said *Jennie W. De Witt* then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

*John McKen*  
**DANIEL G. ROLLINS, District Attorney.**

0346

Antons Berndt  
27 Delaware St.

under alias of  
Frank McCrack  
was sentenced to  
State Prison in  
May June or July 1882

Brooklyn

7

0347

Court of General Sessions, Part Two

THE PEOPLE

INDICTMENT

For

Frank Burkhardt

To

Mr Ambros Burkhardt

No. 27 Delaney

Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *Trial* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on *Thursday* the *18<sup>th</sup>* day of *Feb.* instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

JOHN McKEON,

District Attorney.

0348

In the presence of

James J. McConick

BAILED.

No. 1, by

Arthur Bucknall

Residence

27 Melrose Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

2418

Police Court

District

THE PEOPLE, &c.,  
vs. THE COMPLAINANT OF

James J. McConick  
to carry &  
Arthur Bucknall

Dated

March 14 1882

J. J. McConick

Arthur Bucknall

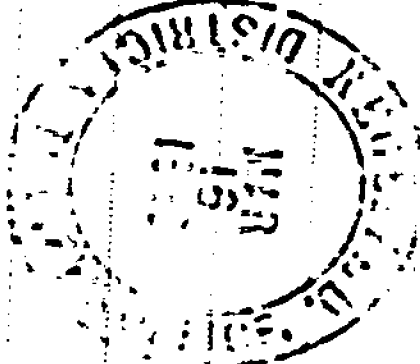
Clerk

Witnesses

Street

Street

Street



Shook to the old law

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

Arthur Bucknall

guilty thereof, I order that he be admitted to bail in the sum of Twenty Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated March 14 1882

J. J. McConick Police Justice.

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

Dated March 14 1882

Police Justice.

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

Dated March 14 1882

Police Justice.

0349

Sec. 195-20.

CITY AND COUNTY  
OF NEW YORK.

DISTRICT POLICE COURT.

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

Question. What is your name?

Answer. *Frank R. Burkhart*

Question. How old are you?

Answer. *17 years old*

Question. Where were you born?

Answer. *New York City*

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

Answer. *27 Delancey Street; 18 years*

Question. What is your business or profession?

Answer. *Cypherman*

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

Answer. *Under no count*

*Frank R. Burkhart*

Taken before me, this *14<sup>th</sup>*

day of *March* 188 *8*

*A. R. Smith*

Police Justice.



0350

*Paul*  
District Police Court. Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK,

or of No. *14* Street.

being duly sworn, deposes and says, that on the *14<sup>th</sup>* day of *March* 188*2*

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 the person of deponent*  
the following property, viz:

*One Purse of the value of  
the two dollars, containing good and  
lawful money, amounting to One note  
of five of the denomination and value  
of One dollar; three silver coins of  
one and two denominations and value, in  
all of the sum and value of One dollar;  
Three keys of the value of thirty cents,  
and a number of private papers;  
Said property being in all of the value  
of about *thirteen* *two* dollars*

day of

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 *Frank Kumpfhard*.

*(Whom he)*, and another whose name  
is unknown to this deponent, for  
the reasons following, to wit:

*That on the day aforesaid at about  
the hour of 1.20 O'clock P.m. deponent  
stepped on a car in 8<sup>th</sup> Street near  
Broadway and that at the said time  
the aforesaid property was in the pocket  
of the outer coat then and there worn  
on the person of deponent as a part of*

her bodily clothing: That while dependent  
 was on the platform of the said car she  
 felt some persons pushing against her  
 and also a movement of the said pocket  
 and that upon putting her hand in the  
 said pocket she found that the said  
 purse had been taken therefrom: That  
 dependent was afterwards informed by Officer  
 Frederick R. Lewis that he saw the said Burkhardt  
 and the said unknown man follow closely behind this  
 dependent, and that as dependent got in the said  
 car the said unknown man also stepped on and pushed  
 dependent from behind and the said Burkhardt  
 had one foot placed on the step of the said car  
 and the other foot on the curbstone, and  
 that as dependent is retained that her purse  
 was gone, he, said officer, saw the said  
 Burkhardt and the said unknown man  
 run away, and further that he, said officer,  
 pursued them and arrested said Burkhardt.  
 Shown to before me this  
 14<sup>th</sup> day of March 1882 } Jennie D. De Witt  
 J. N. Williams  
 Police Justice

City and County of New York ss:—  
 Frederick R. Lewis an officer of the 24<sup>th</sup> Police  
 Precinct being duly sworn deposes and says that he  
 has heard read the foregoing affidavit of Jennie  
 D. De Witt and so much thereof as relates to this  
 dependent is true of dependent's own knowledge.  
 Shown to before me this  
 14<sup>th</sup> day of March 1882 } Frederick R. Lewis  
 J. N. Williams  
 Police Justice

District Police Court.

THE PEOPLE, &amp;c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0352

BOX:

64

FOLDER:

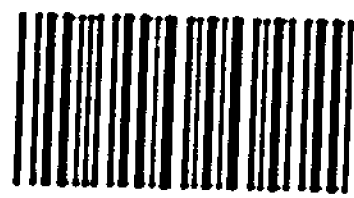
722

DESCRIPTION:

Burns, James

DATE:

04/05/82



722

0353

BOX:

64

FOLDER:

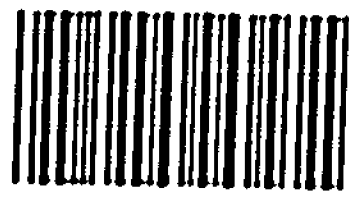
722

DESCRIPTION:

Demarest, Justin

DATE:

04/05/82



722

0354

BOX:

64

FOLDER:

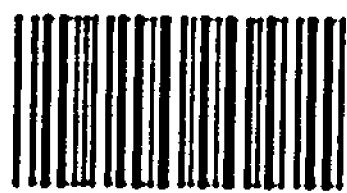
722

DESCRIPTION:

Clark, Richard

DATE:

04/05/82



722



0356

# Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*James Burns, Justin Demarest-  
Richard Clark*

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

*James Burns, Justin Demarest and Richard Clark*  
of the CRIME OF *Carrying Burglars Tools with felonious intent*  
committed as follows:

The said *James Burns, Justin Demarest and Richard Clark*

*lates of the fourth ward of the City of New York*  
*in the County of New York aforesaid on the*  
*this fifth day of March in the year of our*  
*Lord one thousand Eight hundred and*  
*Eighty two with force and arms about*  
*the hour of nine o'clock in the night*  
*time of the same day at the Ward City and*  
*County aforesaid unlawfully had and were*  
*then and there found having in the possession*  
*of them the said James Burns Justin Demarest & Richard Clark*

*divers certain implements of*  
*burglary, to wit: one jimmy one cold chisel*  
*(or draw jimmy) four skeleton keys one picklock*  
*two knives*

*and then used them adapted and designed*  
*for forcing and breasting open a certain*  
*building of a certain person whose*  
*name to the Grand Jury aforesaid*  
*unknown in said Ward*

situate, with the intent— the aforesaid building then and there feloniously and burglariously to break and enter into and certain personal property, goods and Chattels of the aforesaid person whose name is in the Grand Jury aforesaid indictment, in the said building then and there being feloniously and burglariously to take, steal and carry away the said James Burns Justice Demarest and Richard Clark

then and there well knowing the said implements and each of them, to be adapted and designed for the purpose aforesaid, with the intent— then and there feloniously and burglariously to use and employ the same for the purpose aforesaid against the form of the Statute in such case made and provided and against the peace of the People of the State of New York and their dignity.

### Second Count.

And the Grand Jury aforesaid by this indictment, further accuses the said James Burns Justice Demarest and Richard Clark of the Crime of having implements of Burglary in the night time with felonious intent, committed as follows.

The said James Burns Justice Demarest and Richard Clark



late of the fourteenth Ward of the City of New York, in the County of New York aforesaid afterwards to wit: on the said thirtieth day of March in the year of our Lord one thousand Eight hundred and eighty two with force and arms about the house of Miss Nelson in the night time of the same day at the Ward, City and County aforesaid unlawfully had and was then and there found having in the possession certain implements of burglary to wit: one jimmy one Cold Chisel (or draw jimmy) four Skeleton Keys one picklock and two Knives

with the wicked intent the dwelling houses in said Ward situate, of the Citizens of this State in the night-time aforesaid, feloniously and burglariously to break and with the said certain implements of burglary, to open and enter, and the goods, chattels and personal property of the said Citizens in the said dwelling-houses being 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.

John W. O'Keefe  
District Attorney

0359

testimony in the case  
of James Burns  
and  
Justin Demarest

filed April

1882.

42

The People  
 vs  
 James Burns  
 and  
 Justin Demarest  
 with Richard Clark for carrying burglars tools.

Court of General Sessions. Part I  
 Before Recorder Smythe. April 11, 1852

testified James McGuire, sworn and examined,  
 I am a police officer attached to the 14<sup>th</sup> precinct. I recognize both of the prisoners by sight. I arrested them on the night of the 10<sup>th</sup> of March. It was about 8 o'clock at night; it was dark. I arrested them on the corner of Broadway and Broome St. on the street. I had been following them up about 20 minutes. I was sent to Broome St. to look after suspicious characters. Word had come to the station house two nights previous that there had been some men lurking in the neighborhood of 47<sup>th</sup> Broome St. and that there was a burglary -; it is a fur cloth line and while standing two doors from there I saw the two prisoners here and another one coming along and stopping for a moment. I recognized the two as thieves. I hid myself for a moment or two and they passed me and walked towards Broadway and I followed them. They walked down Broadway to Grand St. and came back on the other side of Broadway up again to Broome St.; they walked down

on the east side and crossed up on the west. I called two officers to my assistance and arrested the three of them and took them to the station house and found a lot of skeleton keys. That is what we call a burglar's "jimmy"; that is a chisel to open drawers and those are skeleton keys (five) and this knife and a pistol. The revolving pistol is in the station house. (All these articles were shown except the pistol) Was it loaded? It was loaded at the time. How many barrels? Five chambers. You say you arrested three, where is the other fellow? Richard Clark. Are the three here? No, there is only two there.

Counsel.

By the Court

On last Friday Clark was arraigned before Justice Cowing and pleaded guilty. Who did you find this "jimmy" on? On Clark. He has already pleaded guilty, and I found the keys and revolving pistol on Burns with the exception of one, and I found this bag and one of the keys on Demarest. What sort of bag do you call it? It is used for any purpose. Do you know what a bag of that character is used for? I have seen hatters and clothiers use them for carrying bundles in. A thief could use it to carry away goods in. A "jimmy", as I understand it, is a tool

used by burglars, a burglars' implement?  
 Yes sir. And the chisel, such as you have  
 produced, is also a chisel used by gentle-  
 men of that profession? Yes sir. How long have  
 you been on the police? Going on ten years.  
 You arrested burglars before? Yes sir. Have  
 you ever found any of them with revolvers  
 on them? Yes sir. These skeleton keys are  
 also implements that are used for burglar-  
 ous purposes? Yes sir. Cross Examined  
 What did you find upon the man Demarest?  
 I found the bag and one of those keys and  
 a knife. Did you find any burglars' tools  
 upon him? I found one of those keys; we call  
 them skeleton keys there. Was he in company  
 with those other two men at any time? Yes  
 sir, he was when I first saw them together.  
 Did you see them conversing together? Well,  
 I was half a block away at the time, I could  
 not tell whether they were talking together or  
 not. You did not hear them conversing  
 together? No sir. And when you made the  
 arrest were they together? Demarest I believe  
 was a couple of feet ahead of the others; he  
 might have been four feet. And all he  
 had in his possession was this bag? Yes sir.  
 At this stage of the proceedings I move  
 for the discharge of the man Demarest.

Counsel

The Court

The Court.

Counsel

By Counsel

No. [Counsel] On the ground that the people has failed to make a case against him.

Well, I do not see anything that might prejudice your client. I will deny that motion. State an exception.

You arrested three of those men did you not, officer McGuire? Yes sir. Demarest, Burns and Black? Yes sir. On whom did you find this iron bar and this chistle? Black.

That is the one who pleaded guilty is he not?

Yes sir. Did you hear any conversation between either of these prisoners at any time? I was half a block away from them up to the time I arrested them. Then you did not hear them conversing together? No sir. You are not

willing to swear that they were acting in concert together? [The Court: That is for the jury to say. If these parties were acting in concert the act of one is the act of all.] By Counsel.

You did not hear any conversation? No sir, I could not hear it. At the time of the arrest of these men were they not walking along the street? No, the time of the arrest they were standing at the corner of Broome St. and Broadway.

By the Court: They were all close together as I understand it? Yes sir.

By Counsel Now isn't it a fact, Officer McGuire, that

0364

This man Demarest was ahead of these men.  
He might have been a couple of feet ahead,  
three or four feet.

The jury rendered a verdict of guilty.



0365

BAILED,  
No. 1, by .....  
Residence ..... Street,  
No. 2, by .....  
Residence ..... Street,  
No. 3, by .....  
Residence ..... Street,  
No. 4, by .....  
Residence ..... Street,  
No. 5, by .....  
Residence ..... Street,

283  
Police Court

District

THE PEOPLE, Sec.  
ON THE COMPLAINT OF

James Burns  
Dustin Seymour  
Richard Black

Dated March 31

1882

Smith

Magistrate

Officer

Clerk

Witnessed

No.

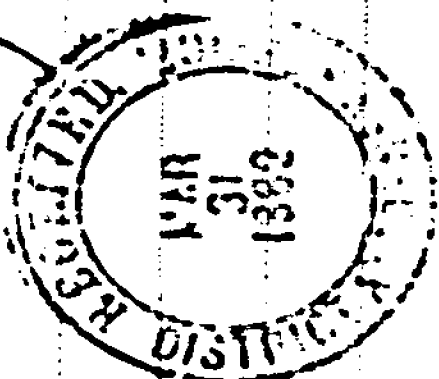
Street

No.

Street

No.

Street



James Burns, Dustin Seymour, Richard Black  
have been admitted to bail  
and are to answer the same

Office, carrying  
Burglary & Robbery

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named James Burns, Dustin Seymour and Richard Black guilty thereof, I order that they be admitted to bail in the sum of one hundred Hundred Dollars each and be committed to the Warden or Keeper of the City Prison until they give such bail.

Dated March 31 1882

Salou B. Smith

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated ..... 188

Police Justice.

There being no sufficient cause to believe the within named

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

Dated ..... 188

Police Justice.



0366

Box 195-200.

CITY AND COUNTY  
OF NEW YORK, }

District Police Court.

*Richard Clark*

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

Question. What is your name?

Answer.

*Richard Clark*

Question. How old are you?

Answer.

*32 Years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*1129 First Avenue about 3 Years*

Question. What is your business or profession?

Answer.

*Carpenter*

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

Answer.

*I had the tools described as jimmies, but I use them in the business of my trade as a carpenter*

*Richard Clark*

Taken before me, this

day of *March* 188*8**Solomon Smith*

Police Justice.

0367

Sec. 195-200.

CITY AND COUNTY  
OF NEW YORK,

DISTRICT POLICE COURT.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty of the charge*  
*Justin Demarest*

Taken before me, this *01*  
day of *March* 188*8*

*Salou Smith*  
Police Justice

0368

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK.

*First* DISTRICT POLICE COURT.

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

Question. What is your name?

Answer.

*James Burns*

Question. How old are you?

Answer.

*37 Years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*I decline to tell*

Question. What is your business or profession?

Answer.

*Laborer*

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

Answer.

*I am not guilty of the charge*

*James Burns*

Taken before me, this *31*  
day of *March* 188*8*

*Solomon B. Smith*  
Police Justice.

0369

CITY AND COUNTY OF NEW YORK.

of No.

says that on the

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

Street, being duly sworn, deposes and

1882

James McGinnis  
 of the 14th Precinct  
 says that on the 14th day of March  
 at the City of New York, in the County of New York, he arrested  
 James Burns and Huston Demorest  
 and Richard Clark all now  
 present and at the time of the  
 arrest in company together in  
 109th Street, following in front  
 of premises No. 417, part of which  
 is occupied as a warehouse for  
 the deposit and sale of furs  
 that after such arrest deponee  
 found in the possession of the  
 defendants the certain burglary  
 tools or instruments here shown consist-  
 ing of one gimmy, one cold chisel  
 or draw gimmy, four skeleton keys  
 one revolving pistol & two knives  
 that in the possession of said Burns  
 deponee found three of the aforesaid keys  
 upon Demorest was found one skeleton key  
 & one knife and Clarke had in his  
 possession the aforesaid gimmy -  
 that deponee therefore charges the  
 defendants with carrying said tools  
 or instruments with the felonious  
 intent and purpose of using the  
 same in violation of law and for  
 the purpose of committing a felony.

Sworn to before me this 14th day of March 1882  
 James McGinnis  
 John Fisher