

0362

BOX:

416

FOLDER:

3845

DESCRIPTION:

Brenssell, Charles

DATE:

11/20/90



3845

POOR QUALITY
ORIGINAL

0363

Witnesses:

Upon request of
Dep't Justice Committee
to R.C. Protection
See Letter within
P.L.

Counsel,

Filed

day of 1890

Pleads,

THE PEOPLE

vs.

Charles Brensall

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

JOHN R. FELLOWS,

District Attorney.

A True Bill

J. J. G. Foreman.

Foreman.

Read & signed 2 days

R.C. Protection

0364

The People
agst

Charles Brenson
real name
Charles Brenzel

100 EAST 23^D STREET,

New York, Nov 11th 1890

OFFICER

OFFICER *Nov. 7th 90*

Felony Assault

15 Years

Patesant

George

695 dead 3rd Ave

695. 3d Ave

has never been arrested before and that he does not attend school and does not work, and associates with evil companions.

The father is respectable

All which is respectfully submitted,

Genl. Dist. Atty.

O. Hallowes

POOR QUALITY
ORIGINAL

0365

Count of General
Sessions

The People
against
Charles Brenson
real name
Charles Brenson

PENAL CODE, 18

William O'Connell

Report of the New York Society
for the Prevention of Cruelty
to Children.

L. ELBRIDGE T. GERRY,
President, &c.,
100 East 23d Street,
NEW YORK CITY.

POOR QUALITY
ORIGINAL

0366

24 November 1890.

— 695.3000.43-44.

To whom it may concern
Although I am a Protestant
my wife was a Catholic and
our children were brought up
in that faith and on this
account I requested Mr Thomas
Farrelly to endeavor to have my
son, Charles aged 15 sent to a
Catholic Institution, the
Protectory if possible.

Hoping my request may
be granted, I remain respectfully

Georg. Brenzel

Police Court— District.

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

of No. 23

occupation

deposes and says, that on the

York, in the County of New York,

he was violently and feloniously ASSAULTED ~~and BEATEN~~ by

Isaac Mofshowitz
Waiter
Street, aged 22 years,
being duly sworn
7th day of November 1888 at the City of New
Charles Brance (nowhere)
in the following manner to wit:
Deponent was attending a Soda water
stand at 95 Blauvelt Street.
Defendant ^{came} to said stand and pointed
a pistol at deponent and fired a
bullet from said pistol at deponent
said bullet striking deponent on
the face causing a painful wound

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

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

Sworn to before me, this

of

1888

Police Justice.

Isaac Mofshowitz
mark

POOR QUALITY
ORIGINAL

0368

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

3 District Police Court.

Charles Brunsell 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. *Charles Brunsell*

Question. How old are you?

Answer. *15 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *695 3rd Avenue 4 years*

Question. What is your business or profession?

Answer. *Errand Boy*

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
I could not keep it*

Charles Brunsell

Taken before me this
day of *March*

189

Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Charles Brensell

The Grand Jury of the City and County of New York, by this indictment, accuse
Charles Brensell
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said Charles Brensell,

late of the City of New York, in the County of New York aforesaid, on the
seventh day of November, in the year of our Lord
one thousand eight hundred and eighty-eight, with force and arms, at the City and County
aforesaid, in and upon the body of one Isaac Mofschowitz
in the peace of the said People then and there being, feloniously did make an assault and
to, at and against him the said Isaac Mofschowitz,
a certain pistol then and there loaded and charged with gunpowder and one leaden
bullet, which the said Charles Brensell
in his right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge,
with intent him the said Isaac Mofschowitz,
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
Charles Brensell
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Charles Brensell,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said Isaac Mofschowitz in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and to, at and against him the said
Isaac Mofschowitz
a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,
which the said Charles Brensell
in his right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully shoot off and discharge, against the form of the statute in such case
made and provided, and against the peace of the People of the State of New York and
their dignity.

JOHN R. FELLOWS,

District Attorney.

0371

BOX:

416

FOLDER:

3845

DESCRIPTION:

Brooks, Patrick

DATE:

11/26/90



3845

0372

Encl. 4.

POOR QUALITY
ORIGINAL

0373

Police Court—4 District.

City and County } ss.:
of New York,

of No. 211 West 50th Street, aged 40 years,

occupation Bottle Dealer being duly sworn

deposes and says, that the premises No. 804 Seventh Avenue Street, 23rd Ward

in the City and County aforesaid the said being a four story brown

stone dwelling and muting rooms

and which was occupied by deponent as a storage place

and in which there was at the time being

were BURGLARIOUSLY entered by means of forcibly opening the

door, leading to the basement of the said

building, which is used by deponent as a

storage place, by means of a false key or a

picklock

on the 13th day of November 1896 in the day time, and the

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

A number of empty glass flasks

of about the value of Two Dollars

(12.00)

the property of Deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Patrick Brooks (now free)

for the reasons following, to wit: Deponent is informed by

Julius Kings, who is in deponent's employ

that he Kings tried the said door about

the hour of 11³⁰ O'clock A.M. on said date

and found it securely fastened, and he

Kings went away about 10 minutes after

he Kings was standing about half a

block away from the said premises, and

he saw the defendant come up the stairs

POOR QUALITY
ORIGINAL

0374

from the said basement, with the said
property in a bag in his possession and
immediately caused his arrest.

As there is no other way known to deprive
the said premises, deponent charges
the defendant with burglariously entering
the premises as aforesaid and feloniously
taking stealing and carrying away the
said property and prays that he be held
and dealt with as the law directs

Given under my
this 13th day of November 1890 W. R. Common

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 188
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 188
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 188
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—BURGLARY.

vs.

1
2
3
4

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

POOR QUALITY
ORIGINAL

0375

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 16 years, occupation Clerk of No. 338 E 40th

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

Sworn to before me, this 13
day of Nov 1890

Julius Perry

A. J. McMahon

Police Justice.

POOR QUALITY
ORIGINAL

0376

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

H District Police Court.

Patrick Brooks 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. Patrick Brooks

Question. How old are you?

Answer. 18 years

Question. Where were you born?

Answer. U.S.

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

Answer. 146 St 52 St - 3 yrs

Question. What is your business or profession?

Answer. Work for junkman

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.

Patrick Brooks.

Taken before me this

day of

May

1890

Police Justice.

POOR QUALITY
ORIGINAL

0377

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

Police Court... *H* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William P. Conrad
211 West 50th St.

Patrick Bruck

Offence *Burglary*

Dated *Nov 13* 18*90*

McMahon Magistrate.

Quinn Officer.

Julius Rango Precinct.

No. *335 E. 110th* Street.

No. _____ Street.

No. _____ Street.



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

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

Dated *Nov 13* 18*90* *W. McMahon* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0378

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Patrick Brooks

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

Patrick Brooks

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

The said

Patrick Brooks

late of the *Twenty-second* Ward of the City of New York, in the County of New York
aforesaid, on the *thirteenth* day of *November* in the year of our Lord one
thousand eight hundred and eighty *ninety*, with force and arms, in the
day - time of the same day, at the Ward, City and County aforesaid, the
~~dwelling-house of one~~ *building of one William P. Cannon*

there situate, feloniously and burglariously did break into and enter, with intent to
commit some crime therein, to wit: with intent, the goods, chattels and personal property
of the said *William P. Cannon* in ~~the~~
said building ~~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.

POOR QUALITY
ORIGINAL

0379

SECOND COUNT—

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

Patrick Brooks

of the CRIME OF

Petit LARCENY

, committed as follows:

The said

Patrick Brooks

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

twenty flasks
of the value of ten cents
each

of the goods, chattels, and personal property of one

William P. Cannon

in the dwelling house of the said

building William P. Cannon

there situate, then and there being found, *in the building*
~~from 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 Q. Fellows,
District Attorney

0380

BOX:

416

FOLDER:

3845

DESCRIPTION:

Brown, Charles

DATE:

11/25/90



3845

0381

BOX:

416

FOLDER:

3845

DESCRIPTION:

Garbarino, John

DATE:

11/25/90



3845

POOR QUALITY
ORIGINAL

0382

Witnesses:

Counsel,

Filed day of

Pleads,

THE PEOPLE

vs.

Charles Brown

alias

John Garbarino

~~John Brown~~

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL

Nov 20 1890

Readers & Sons

D. Office

Foreman.

J. V. Brown

5406 2nd St.

Nov 19 1890

Longford, Third degree, 1887
Second offense
[54-498 501, 528, 532, 54, 688]

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles Brown
otherwise called
John Gardano

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

Indictment accuse Charles Brown, otherwise called

John Gardano -

of the crime of Burglary in the third degree -

as a SECOND OFFENSE, committed as follows:

Heretofore, to wit: at a court of General Sessions of the Peace, holden in and

for the City and County of New York, at the City Hall, in the said City of New York,

on the Twenty day of March, in

the year of our Lord, one thousand eight hundred and eighty-nine,

before the Honorable Henry A. Tiddens, Judge of the

said Court of General Sessions of the Peace,

and Justice of the said Court, the said Charles Brown, otherwise

called John Gardano -

by the name and description of John Gardano -

was in due form of law convicted of a felony -

to wit: Burglary in the third degree, -

upon a certain indictment then and there in the said Court depending against him

the said Charles Brown, otherwise called John Gardano, by the

name and description of John Gardano -

as aforesaid,

for that he, and Amelia Gardano and August

Rayato, -

then all late of the Fifth Ward

of the City of New York, in the County of New York aforesaid, on the
~~seventeenth~~ day of ~~February~~ in the
 year aforesaid, at the ~~Ward~~ City and
 County aforesaid, with force and arms,
 a certain building there
 situate, to wit: the store of one Marcus W.
 Robinson, feloniously and lawfully
 did break into and enter, with intent to
 commit some crime therein, to wit: with
 intent the goods, chattels and personal
 property of the said Marcus W. Robinson,
 in the said store then and there being, then
 and there feloniously and lawfully to
 steal, take and carry away; and also for
 that afterwards, to wit: on the day and in
 the year aforesaid, in the day time of the
 said day, he and the said Amelia Aguirre
 and August Rayata, at the Ward, City and
 County aforesaid, with force and arms, five
 hundred revolving pistols of the value of
 two dollars each, of the goods, chattels and
 personal property of one Marcus W. Robinson,
 in the store of the said Marcus W. Robinson
 there situate, then and there being found, in
 the store aforesaid, then and there feloniously
 did steal take and carry away; and also for
 that afterwards, to wit: on the day and in
 the year aforesaid, at the Ward, City and
 County aforesaid, with force and arms, five
 hundred and the said Amelia Aguirre and
 August Rayata, five hundred revolving pistols

POOR QUALITY
ORIGINAL

0385

of the value of two dollars each, of the goods,
shackles and personal property of one Marcus
W. Robinson, by a certain person or persons
~~to the goods~~ then lately did feloniously
taken, taken and carried away from the
said Marcus W. Robinson, and lawfully and
rightfully did feloniously receive and have,
they then and there well knowing the said
goods, shackles and personal property to have
been feloniously taken, taken and carried
away;

And the said Charles Brown, Defendant, being called to the witness stand, and sworn, deposes and says that he is the same person who was convicted and sentenced to the State Reformatory at Elmira, New York, upon the conviction aforesaid, it was considered

by the said Court of General Sessions of the Peace, and ordered and adjudged that

the said Charles Brown, otherwise called John Gardner,

by the name and description of John Gardner

as aforesaid,

for the felony and larceny in the third degree, whereof

— he — was so convicted as aforesaid, be imprisoned in the New York

State Reformatory at Elmira, there at hard labor for

the term of ~~to be dealt with according to law,~~

as by the record thereof doth more fully and at large appear.

And the said Charles Brown, otherwise called

John Gardner, now late of the First Ward of the

City of New York, in the

County of New York aforesaid, having been so as aforesaid convicted of the said

felony and larceny in the third degree in

manner aforesaid, afterwards, to wit: on the ~~15th~~ day of

~~November~~, in the year of our Lord one thousand eight hundred

and ~~ninety~~, at the Ward, City and County aforesaid, with force

and arms, in the night time of the same day, the said

John Gardner, then and there, feloniously

and unlawfully did break into and enter, with intent

to commit some crime therein, to wit: with intent the

goods, chattels and personal property of the said

Frederick Brinkman in the said place then and there

being then and there feloniously and unlawfully

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

Second COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further
accuse the said *Charles Brown, otherwise*

called John F. Brown —

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

The said *Charles Brown, otherwise*
called John F. Brown, —
late of the City of New York, in the County of New York aforesaid, on the *eighteenth*
day of *November*, in the year of our Lord one thousand eight hundred and
~~eighty~~ *ninety*, at the City and County aforesaid, with force and arms. *(having*
been so convicted of the said felony and larceny
in the said degree as alleged in the first count
of this indictment) one pair of trousers of the
value of *five* dollars, ~~two~~ *and* the value of *five*
~~dollars~~ *each and* ~~forty~~ *United States postage stamps of*
the denomination and value of two cents each,
of the goods, chattels and personal property of one
Everett Brinkhous, in the store of the said Everett
Brinkhous, there situate, then and there being
found, at in the store aforesaid, then and there
feloniously

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

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

Third COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said Charles Brown, otherwise
called John Agbarino —
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROP-
ERTY, ^{as a second offense,} committed as follows:

The said Charles Brown, otherwise
called John Agbarino, —
late of the City and County aforesaid, afterwards to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, ^{having been}
persecuted ^{by the said John Agbarino and his family}
in the third degree as alleged in the first
count of this indictment, one pair of trousers
of the value of five dollars, two vests of the
value of five dollars each, and fifty United
States postage stamps of the denomination
and value of two cents each,

of the goods, chattels and personal property of one Everett Primashank,
and George Gardella, John Basso, and —

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

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

Charles Brown otherwise called John Agbarino

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

JOHN R. FELLOWS, District Attorney.

0389

BOX:

416

FOLDER:

3845

DESCRIPTION:

Brown, Daniel

DATE:

11/11/90



3845

0390

BOX:

416

FOLDER:

3845

DESCRIPTION:

Brown, Daniel

DATE:

11/11/90



3845

31

Counsel,
Filed *11 Nov* 19*90*
day of
Plends

THE PEOPLE
vs.
Daniel Brown
INJURY TO PROPERTY.
[Section 654, Penal Code.]

JOHN R. FELLOWS,
District Attorney.

A True Bill.
[Signature]
[Signature]
Foreman.
[Signature]
[Signature]
6 mos 1 yr 10
18 24

Witnesses:
[Signature]
[Signature]
[Signature]
233620-
[Signature]
H.

POOR QUALITY
ORIGINAL

0392

Police Court, 4th District.

City and County } ss.
of New York,

of No. 324 Third Avenue Street, aged 35 years,
occupation Restaurant being duly sworn, deposes and says,
that on the 31st day of October 1888, at the City of New
York, in the County of New York,

Peter Rossini
Daniel Brown (now here), did
unlawfully and willfully destroy
personal property of another and
cause damage thereto to the amount
of forty dollars. That at about
12 o'clock noon of above date
defendant was in defendant's Restaurant
at above number and after being
served with food got into an
altercation with another customer
unknown to defendant, that finally
defendant ordered defendant out
of his restaurant and immediately
after while standing upon the
sidewalk defendant maliciously
threw two stones one of which
passed through the plate glass
in the door and the other through
the plate glass of the window
of said premises and causing
each of said glasses to break
in several places. Wherefore
defendant prays that defendant
be held to answer and be
dealt with as the law directs.

Subscribed before me
this 31st day of October 1888.
Charles J. Linton
Police Justice

Peter Rossini

POOR QUALITY
ORIGINAL

0393

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

H District Police Court.

Daniel Brown 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. Daniel Brown

Question. How old are you?

Answer. 39 years

Question. Where were you born?

Answer. New York city

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

Answer. N^o 235 East 20th St. N.Y.C.

Question. What is your business or profession?

Answer. Arm dealer

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

Answer. I am not guilty

Daniel Brown
mark

Taken before me this

day of Oct 1880
Charles W. Danforth
Police Justice

POOR QUALITY
ORIGINAL

0394

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

1653
Police Court---
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

327 - 23 3rd Ave.

John Brown
Samuel Brown

Offence *Malicious
Mischief*

Dated *Oct 31* 1890

Magistrate.

Officer.

Precedent.

Witness *Blue*

No. *377-3* Street.

No. _____ Street.

No. _____ Street.

\$ *300* to answer



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

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

Dated *Oct 31* 1890 *Charles V. Linton* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Daniel Brown

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

— *Daniel Brown* —

of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* —
PERSONAL PROPERTY OF ANOTHER, committed as follows :

The said *Daniel Brown*. —

late of the *Eighteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *thirty first* day of *October*, in the year
of our Lord one thousand eight hundred and *eighty ninth*, at the Ward, City and
County aforesaid, with force and arms, a *certain pane of plate*
glass of the value of thirty dollars, and
a certain other pane of plate glass. —

of the value of *fifteen dollars*. —

of the goods, chattels and personal property of one *John Rossini*. —
then and there being, then and there feloniously did unlawfully and wilfully *break*

and destroy ;

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

— Daniel Brown —

of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* —

REAL PROPERTY OF ANOTHER, committed as follows:

The said *Daniel Brown*, —

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

pane of plate glass of the value of

thirty dollars, and a certain other pane
of plate glass. —

of the value of *fifteen dollars. —*

in, and forming part and parcel of the realty of a certain building of one *Peter Rossini*,

there situate, of the real property of the said *Peter Rossini*, —

then and there feloniously did unlawfully and wilfully *break and destroy*

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

JOHN R. FELLOWS,

District Attorney.

0397

BOX:

416

FOLDER:

3845

DESCRIPTION:

Brown, Emma

DATE:

11/03/90



3845

0398

Witnesses;

Counsel,

Filed

1894

Pleads

W. J. P. 6

THE PEOPLE

vs.

EMMA BROWN

B

Emma Brown

Transferred to the Court of Special Sessions for trial and final disposition.

Filed for record 1894

JOHN R. FELLOWS,

District Attorney.

A True Bill.

J. W. P. Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Emma Brown

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

Emma Brown

(Sec. 362,
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL-FAME, committed as follows:

The said

Emma Brown

late of the *15th* Ward of the City of New York, in the County of New York aforesaid, on the *tenth* day of *October* in the year of our Lord one thousand eight hundred and *ninety*, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

Emma Brown

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, 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

Emma Brown

(Section 385,
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said

Emma Brown

late of the Ward, City and County aforesaid, afterwards, to wit: on the *tenth* day of *October* in the year of our Lord one thousand eight hundred

and *ninety*, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in *her* said house, for *her* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, 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

Emma Brown

(Section 322
Penal Code.)

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said

Emma Brown

late of the Ward, City and County aforesaid, afterwards, to wit: on the *ten* day of *October* in the year of our Lord one thousand eight hundred and *Eighty* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *her* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in *her* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0401

BOX:

416

FOLDER:

3845

DESCRIPTION:

Brown, Jane

DATE:

11/26/90



3845

0402

BOX:

416

FOLDER:

3845

DESCRIPTION:

Crump, Annie

DATE:

11/26/90



3845

POOR QUALITY ORIGINAL

0403

241
Berlingham

Counsel,
Filed 26 day of Nov 1890
No 2 Pleads, not guilty (vs)

THE PEOPLE
vs.
Jane Brown
No 1 30
No 2 23
Annie Crump
Account, second degree
[Section 218, Criminal Code]

JOHN R. FELLOWS,

Part III Decemur District Attorney.
No 2 Indicted Convicted
with recom. & mercy.
A TRUE BILL. Sen 3 yrs.

[Signature]

Part III Foreman.
No 1 Pleads guilty
34/176 West Pen

[Signature]

Witnesses:

Sperry / Geo
Mee / for

POOR QUALITY
ORIGINAL

0404

Police Court—5 District.

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

of No. 366 West 126th Street, aged 26 years,
occupation Laundress being duly sworn

deposes and says, that on the 31st day of October 1890 at the City of New
York, in the County of New York, in said premises

She was violently and feloniously ASSAULTED and BEATEN by Jane Brown
and Annie Crump. (both niggers)
the said Jane Brown caught
violently hold of deponent by the throat
and held deponent down in the bed
while the said Annie Crump pulled
the bed clothes and clothing from
deponent's body, when she the said Annie
wilfully and maliciously poured and
rubbed a strong mixture containing
caustic potash (concentrated lye) on
deponent's abdomen, thighs and between
deponent's legs, and upon deponent's
private parts, which said mixture
severely burned deponent's abdomen, thighs
and vagina.
Deponent further says that such assault
was committed

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

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

Sworn to before me, this 18th day } Martha Edwards
of N.Y. 1890 } mark
M. A. Webb Police Justice.

POOR QUALITY
ORIGINAL

0405

Sec. 198-200.

51 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *James Brown*

Question. How old are you?

Answer. *34 years old*

Question. Where were you born?

Answer. *Maryland*

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

Answer. *53, E, 122 St 8 mos*

Question. What is your business or profession?

Answer. *Wash and Iron*

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

Answer.

I am not guilty

James Brown
Maryland

Taken before me this
day of

189

Police Justice.

POOR QUALITY
ORIGINAL

0406

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Annie Crump 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. *Annie Crump*

Question. How old are you?

Answer. *30 years old*

Question. Where were you born?

Answer. *Virginia*

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

Answer. *23 Minnetta Lane New York*

Question. What is your business or profession?

Answer. *Wash and Iron*

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
Annex Crump
mailed

Taken before me this
day of

Mar 1891
Wm. H. H. H.

Police Justice.

POOR QUALITY
ORIGINAL

0407

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 5 DISTRICT.

Thomas Maher

of No. 30th Precinct Police Street, aged _____ years,

occupation Police Officer being duly sworn deposes and says

that on the 31st day of October 1890

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

Jane Brown. (Criminals) for the reason that she the defendant in company with another woman, whose name is unknown, and not yet arrested, assaulted me Martha Edwards, by knocking her down, and rubbing some acid upon the body of the said Martha Edwards burning her so severely that she is now confined to her bed and unable to appear in court. —

Subscribed and sworn to before me, this _____ day of _____ 1890

Police Justice.

POOR QUALITY
ORIGINAL

0408

Dependent further says that the said
Murtha Edwards fully identified
this defendant in dependent's presence
as one of the women who had so
assaulted her. Wherefore dependent
prays this defendant be held to await
the result of the injuries of the said
Murtha Edwards.

Thomas Maher

306
Police Court, 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.
Jane Brown

Dated Oct 31 1890

Uelde Magistrate.

Maher Officer.

Witness,

Disposition,

Chas. G. Grier.
\$2,000 Bail.

AFFIDAVIT

Sworn to before me
this 31st day of Oct 1890

Wm. H. Wells
Police Justice

POOR QUALITY
ORIGINAL

0409

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 5 DISTRICT.

of No.

occupation

that on the

Robert N. Day
Street, aged years,

Pocier Affair
being duly sworn deposes and says

1st day of November 1890

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

deponent

Arrested Annie Crump (now here)
on Complaint of Martha Edwards
who charged this defendant in
company with one Jane Brown
now confined in the 5th District Prison
with having assaulted her the said
Martha by knocking her down
and pouring some kind of acid
on her body burning and injuring
her so severely that she is now confined
in the Harlem Hospital and unable

Subscribed before me this

1890

Police Justice

POOR QUALITY
ORIGINAL

0410

to appear in Court.
deponent further says that the said
Martha Edwards fully identified
this defendant as the person who had
so assaulted her in company with
the aforesaid Jennie Brown. Wherefore
deponent prays this defendant be held
to answer the result of said injuries
Robert W. Day

AFFIDAVIT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.
Annie Brown

Dated Nov 2 1890

Meade Magistrate.

W. Day Officer.

Witness,

Disposition,

1000. Jan 64

Police Court, District,
McMeara
Precinct

0411

306
308
Police Court,
District,
12/53
5

Mailla & Davis

366-Heat 126

1 June 1890

Alma Torrey

3
4

Dated, Nov 18th

1000

Maker of Ding

09

Witnesses: *Charles M. Davis*

No. 11111

Mr. Brown

No. 364726

124
1890

No. _____

SECRET

1000 each

\$100 to answer it

1

21/2/80

2

100

Offense, Assault
"felony"

Dated, Nov 18th

1000

Mr. & Mrs. J. H. H. H.

[illegible]

02

WITNESSES: *John M. [Signature]*

No. Philip James

Mr. Tolson

36 Mr. Mc

24
100
TRI

1930
OCT 10

No. 1460

1000 to answer.....

4/2/20

2

100

Dated,.....189.....Police Justice.

COURT OF GENERAL SESSIONS -Part III.

-----x
The People of the State of New York, : Befor e Hon. Ru-
against : fus B. Cowing, and
A N N I E C R U M P . : a Jury .
-----x

Indictment filed Nov. 28th 1890.

Indicted for assault in the 2nd degree .

N e w Y o r k, December 4th 1890.

APPEARANCES: For the People Asst. Dist. Atty. Jerome .

F For the defendant Mr. Jacob Berlinger .

MARTHA EDWARDS, a witness for the People, sworn, testified:

I live at No. 366 East 126th street in this city .

I lived there on the 31st of October this year . I am
a widow . I live at the number stated alone , occupying
two rooms . I know the defendant ~~a~~the bar Annie Crump. I
did not know her before the 31st of October . I was well
acquainted with Jane Brown the co-defendant . Both of
these women were in my room on the night of the 31st of Oc-
tober . Between 12 and one o'clock on the night of the
31st of October I was in bed in my own rooms when a knock
came to the door. I said "Who is it" and a voice said "It
is me"; I said "Who are you " and I received the reply
"Mrs. Harris, I have a message for you from down town". I
told her to call tomorvrow that I was in bed and did not
wish to get up. The parties went away and in a short time
came back again and continued the knocking at the door. I
went to the door, opened it and as soon as I did these tow
women broke right in on me. I jumped into the bed and

2

when I did the woman Brown caught hold of me , the defendant threw the coverings off of me and then Mrs. Brown threw some caustic potash over my private parts while I was lying there held by Mrs. Crump . The acid spread all over my legs and I suffered great pain . I shouted for help and a gentleman by the name of Morris came to the door and finally got these women to leave my room . Mrs. Crump stopped and washed her hands in the sink before she went down stairs . The officer came and I informed of the trouble. I saw Mrs. Brown the same night and identified her as the ~~own~~^oman who had assaulted me in this manner . While I was laid up at the hospital they brought the defendant before me and I identified her as the ~~own~~^oman who had pulled the clothes off of me and also struck me . I was laid up in the hospital for eight days .

Cross Examination:

I am a widow . I could not say for sure whether my husband is dead or not; I have not seen or heard from him in seven years . I know the young son of Mrs. Brown. He does not live with me . He has been to see me there several times, but there was nothing wrong or improper ever between us . He was not in my rooms on that night . I could not tell you where he lives; I never had any trouble with Mrs. Brown on account of her son or anything else . I do not know what induced her to commit this crime against me . I had no appointment with her son that night. Mrs . Brown never found her son at my house . I never drew a knife on Mrs. Brown . I never knew Mrs. Crump

3

before that night. Mrs. Brown had never threatened me. Both of these ~~women~~^o did an equal share in putting this stuff on me .

CHARLES H. MORRIS, a witness for the People, sworn, testified:

I am the janitor of the premises No. 3366 126th street in this city . I, lived in those premises on the 31st of October last . I was at home on that night and heard the cries of Mrs. Edwards for help . Between 12 and one o'clock I heard cries of murder. I went down stairs to Mrs. Edwards room I found Mrs. Edwards and Mrs. Crump and Mrs. Brown in a tussle at her bed room door . Mrs. Crump told me not to come into the room or she would strike me; I went into the room and threw her out into the hall and afterwards put both of the women out of the place . The policemen came, and the injured woman was taken to the hospital. I saw no club or stick ~~of~~ any kind there at all .

Cross Examination:

Mrs. Edwards was very much excited . I could not say that I saw Mrs. Crump strike the complainant at all . I am certain that Mrs. Brown was struggling with her .

PHILIP J. SMITH, a witness for the People, sworn, testified:

I live in the premises No. 366 126th street . I ~~hea~~ heard this disturbance on the night of the 31st of Oct. I went to Mrs. Edwards room and I saw her there crying and moaning, and the furniture was all scattered about the room and there was general confusion and ~~disorder~~ . I saw Mrs. Brown and Mrs. Crump present in the room . I told these ~~women~~^o that this was a respectable house and that they had no business to come up and disturb the peo-

ple in it . . . They told me that they did not want to destroy any property or anything, but they wanted to fix her as she wished to . I told them they should have complained to the landlord or the police . Subsequently the injured woman was taken away to the hospital .

Cross Examination .

I am positive that Mrs. Crump is one of the women who was present on this night . I had not seen her before but I remember her face . Mrs. Crump said to me "You cannot blame a woman for taking her son's part".

LUCY COONEY, a witness for the People, sworn, testified:

I live at 366 126th street . I lived there on the 31st of October . I heard the cries of Mrs. Edwards on this night . I went down and in Mrs. Edward 's room I saw Mrs. Brown with a club in her hand, and I saw this defendant standing with her .

Cross Examination:

I did not notice the defendant have any weapon in her hand; I did not see her strike the complainant .

THOMAS MAHER, a witness for the People, sworn, testified:

I am an officer of the municipal police attached to the 30th precinct . I went to the premises in question on the night of the 31st of October . I went into Mrs. Edward 's room and I found her sitting in a chair . I was informed of what had occurred and of the injuries she had received . I went to the station house reported the matter, and had an ambulance sent for the complainant to take her to the hospital . I went afterwards to a house in east 122nd street and arrested Mrs. Brown . She

5

was identified by the complainant as the party who had assaulted her . I never saw Mrs. Crump until she was arrested by another officer .

ROBERT N. DAY, a witness for the People, sworn, testified:

I am the special duty man of the 30th precinct . I was assigned to this case . I arrested Mrs. Crump on this complaint on November 1st at No. 23 Minetta Lane . When I saw her I said "What were you doing up in Harlem last night, that was a fine thing you did up there."; "I did not want to go up there; I went there because Mrs. Brown asked me to go ". I told her she would have to come with me to the station house and she came . I had no further conversation with her at all.

Mr. Jerome then read in evidence the certificate of a physician who stated that he had attended the complainant at her home and found her suffering from severe burns over the abdomen, thighs and breast, being caused by the throwing on her body of a strong mixture of caustic potash .

D e f e n s e .

ANNIE CRUMP, the defendant, sworn, testified :

I am a married woman and reside at No. 23 Minetta Lane in this city . I keep house at that place with my husband. On the 31st of October at about half past nine or a quarter of ten o'clock Mrs. Brown came to my house . I was out in the street and when I came in I saw her there She said "I came after you to come uptown with me". I said "at this hour, no". She says "Yes sir" I said "What for"/

6

She says "I only want you to go up with me ". I said "I am not dressed". She says "That dont make any difference, come on". I said "Are you going to get me into any trouble " and she said "No". I had known the woman for twelve years and always found her truthful and upright. She told my husband that I would be back inside of an hour, and with that I consented to go up town with her . I did not know at that time what her intention was in going up to Mrs. Edwards house . She then told me that her son had left home, and had gone to live with this woman that ~~use~~ knew her son was her only support and she intended to go up and take him out of this woman's room that night . We went up town and I went with her to these rooms / She got into the room and finding Mrs. Edwards in the room threw this stuff on her . I did nothing . The only thing I did do was to try and get this woman to come away with me . I state positively that I had no hand in this assault. I simply went up with this woman at this late hour of the night to try and help her find her son . I knew nothing of her bad intentions towards the woman . I was afterwards arrested by the officer and the complainant identified me as having struck her, and assisted in this assault . I am telling the truth, and upon this statemnt I leave myself to the mercy of the court . I am innocent .

Cross Examination.

I am no relation to Mrs. Brown, nor to her son. I have married a second time . I have not seen my first

POOR QUALITY
ORIGINAL

04 18

7

husband for ten years . I do not know whether he is alive or not . He went to live with another woman and I left him . I had great confidence in this Mrs. Brown and always considered her a good woman . I simply went up with her as a friend obliging one another . I asked her whether she intended to get me into any trouble because I suspected her when she came to me so late at night to go on such a mission . I believed her when she assured me that she did not .

The jury returned a verdict of Guilty of assault in the second degree .

Indictment filed Nov 20-1880

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL

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CONFIDENTIAL

Indictment filed Nov/20-1890

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

Annie Crumpp.

Abstract of testimony on

trial New York December
4th 1890.

her as a friend of mine. I asked her
was considered her a good woman. I simply went up with
him. I had great confidence in this man. Brown and Al-
or not. He went to live with another woman and I lost
husband for ten years. I do not know whether he is alive

POOR QUALITY
ORIGINAL

0421

Harlem Hapt.
Nov 3rd

Martha Edwards

Is slowly
improving and will
probably be able to
attend court by next
Monday Nov 10th 1890.

Wm. L. Dodge
H. L. S. J. S.

POOR QUALITY
ORIGINAL

0422

Harlem Hosp^l
Nov 1st

This is to certify that
Martha Edwards is
unable to appear in
court, owing to illness
upon her body.

Ra^{pt}

James A. Dade
S. J. D. J. J.

POOR QUALITY
ORIGINAL

0423

Nov. 3/90

Mrs. Martha Edwards,
who is now in the Harlem
Hospital is improving,
& out of danger.

J. A. Hofheimer, M.D.

OFFICE HOURS:
8 to 9 A. M.
11 A. M. to 1 P. M.
6 to 8 P. M.

DR. J. A. HOFHEIMER,
307 W. 126th St. N. Y.

POOR QUALITY
ORIGINAL

0424

Marlow Hooper
Nov 21st

Martha Edwards is yet unable
to appear in Court and will
not be before Monday or Tuesday.
Stallard & Dade
House Surgeon

307 West 126 St.

Nov. 1/90

This is to certify that about 2 a.m. on the 31st of Oct. I was called to attend Mrs. Martha Edwards, of 366 West 126 St. & found her suffering from cross burns over the abdomen, thighs & parts between, caused by the throwing on her body of a strong mixture containing Caustic Potash (concentrated lye). She also is covered with large welts & bruises due to a cross beating with some blunt instrument at hands of the same parties who threw the caustic.

Her private organs are badly affected, & pt is in great agony; but chances for recovery are good. She is now in the Harlem Hospital.

J. A. Hoffmeyer, M.D.

POOR QUALITY
ORIGINAL

0426

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Jane Brown and
Annie Brown*

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

indictment, accuse *Jane Brown and Annie
Brown*

of the crime of *Assault in the second degree,*—

committed as follows:

The said *Jane Brown and
Annie Brown, Trade*

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

thirty first day of *October,* in the year of our Lord one thousand
eight hundred and ninety *—*, at the City and County aforesaid,

*in and upon one Martha Edwards, then and
there being, feloniously did unlawfully and
wrongfully make an assault, and then the
said Martha Edwards, then and there feloniously*

did wilfully and wrongfully strike, beat,
harass and wound, and the said Jane Brown
and Annie Pumphrey, a quantity of a certain caustic
and corrosive fluid mixture known as concentrated
lye, upon and upon the abdomen, thighs, arms
and private parts of her the said Martha Edwards,
then and there feloniously did wilfully and
wrongfully apply, place, put and rub, and then
the said Martha Edwards, in and upon her abdomen,
thighs, arms and private parts, with the said
caustic and corrosive fluid mixture aforesaid, so
applied, placed, put and rubbed as aforesaid, then
and there feloniously did wilfully and wrongfully
burn and wound, and the said Jane Brown
and Annie Pumphrey, then and there and by the
means aforesaid, feloniously did wilfully and
wrongfully inflict grievous bodily harm
upon her the said Martha Edwards, to the
great damage of the said Martha Edwards,
against the form of the Statute in such
case made and provided, and against the

POOR QUALITY
ORIGINAL

0428

peace of the People of the State of New
York, and their dignity.

John B. Fellows,

Attorney

POOR QUALITY
ORIGINAL

0429

peace of the People of the State of New
York, and their dignity.

John F. Kennedy,

President of the United States

0430

BOX:

416

FOLDER:

3845

DESCRIPTION:

Bubbo, Giovanni

DATE:

11/03/90



3845

POOR QUALITY
ORIGINAL

0431

Witnesses;

15 A de Filippo
Counsel
Filed
Pleads
1898
May 18
1898

THE PEOPLE

vs.

Giovanni Bulbo

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

JOHN R. FELLOWS,

763. New York
District Attorney.
Tried and jury dis agreed
7 for crime
5 for acqu.

A True Bill.

W. J. McGuire
Foreman.
Jury consisted of
A. J. Zuley
3 men & 2 new of. 1898
1898

THE PEOPLE

vs.

GIOVANNI BUBBO.

COURT OF GENERAL SESSIONS, PART I.

BEFORE JUDGE FITZGERALD.

Tuesday, November 18, 1890.

Indictment for assault in the first degree.

GUSEPPIE POMPE sworn and examined.

I have been the keeper of a billiard room and bartender at 71 Broadway, I have been superintending the place for ten days. I was working at this place when I was cut, I saw the prisoner on the night of the 27th of October when he stabbed me, it was at 41 Mulberry Street, I saw him going through the alleyway, it was between a quarter and half past eight o'clock, I did not say a word to him, he came towards me and stabbed me in the ^{face} ~~chest~~. (The witness showed the marks to the jury.) He only struck me once, he had a kind of a hook knife in his hand, he had his arm on his side like that (illustrating); I saw him raise his hand up and saw the knife in his hand, he struck me backwards like that (illustrating) and ran away; I was full of blood; a couple of young fellows saw him and they ran after him; one young fellow is here, Antonio Polida, the other fellow aint here, his first name is Joe, I don't know his other name, I saw the defendant afterwards when the officer brought him down to me, I did not say anything to him, I was full of blood. I never saw the man before in my life and had no quarrel with him, I am sure he is the man who cut me. There was no other person near me at the time he stabbed me but him; there was a lady sitting on the stoop, Mrs. Reilly, she is here. They wanted to take me to the hospital, I didn't want to go and a doctor

came to the station house and sewed up my cuts; he afterwards gave me a card and I went to the hospital ten days every morning; about twelve stitches were put in me.

CROSS EXAMINED.

I worked for this man at 71 Broadway nine days and previous to that I worked at the 20th Street church for a sexton as a cleaner, I worked there for six months.

I used to be in that bar-room and billiard saloon four years ago, it is kept by John Gault, I worked as a boot-black down there. It is not a fact that I have a boot-black stand a little lower down Broadway. I was down at that saloon on this day in question, Antonio Polida and Joe were not down at 71 Broadway that day, I met Polida first on that day about a quarter past seven at night, I got home about that time, I went to see a godfather of mine and I met Polida about half past seven, he was not in company with Joe, Polida is not my brother-in-law, I met Joe about the same time, they were not both together but they saw me get out, I was at my godfather's 41 Mulberry Street, I stayed there about half an hour; they had not a christening of a baby there; my godfather is a saloon keeper; I wanted to see what he wanted me for. Polida and Joe were standing by the door of the saloon, I do not remember exactly whether they were in or out, I did not pay attention who was there around. It is not a fact that Polida and Joe were with me on the street prior to the time when I met Bubbo, I was all alone, Bubbo came along and nobody was near me at all except the witness, this was about a quarter past eight. I went out of the saloon and bid all hands good-night, my godfather and mother with

the children, I turned my face to go out. I had only take one glass of beer, I met Bubbo in the alleyway by the saloon door and he rushed up to me and struck me; as soon as he struck me I cried out, "I am cut" ; that is the time the young people ran after him; I have three cuts in the face, one on the forehead, one on the nose and one on the cheek. I had not seen the defendant in the saloon at all, he was a perfect stranger to me. This lady friend of mine was not talking to me in the alleyway. I did not attempt to strike back.

ANTONIO POLIDA sworn and examined.

I live at 38 Mulberry Street and know the complainant; I saw the Defendant on the night in question but did not ever see him before the complainant was cut; I was by the saloon in Mulberry Street; I was inside of the saloon and a friend of mine Joe and I said good-night to the man, ~~to~~ the fellow that got cut; he went out, he was in the alley, I passed through the door going home and going across to 38 and I saw the prisoner run out from the alleyway where the complainant was standing, the alleyway is alongside of the saloon. I did not see the prisoner do anything except run past Joe; he ran up through Mulberry Street; when I came out of the saloon I saw the Defendant running past Joe, I was not present when he passed Joe out of the alleyway, I went to Joe and asked him what was the matter; he was holding his hand on his face, I saw blood on his face running down through his fingers, he said something to me and I ran after the prisoner; I kept my eye

on him all the time until the policeman caught him, he was the same man that I saw running from the saloon; the policeman got hold of him and brought him down to 41 Mulberry Street where we met Joe Pompe, he was bleeding yet; I heard him say to the policeman in the presence of the prisoner that he was the man who cut him; the prisoner never said a word; that is all I know about it; I never saw the prisoner before that night.

CROSS EXAMINED.

I am a laborer and work out in the country and in New York; at this time I was working up in 33rd Street tearing down houses; I had been working there four weeks; I stopped work about six o'clock, I got my supper and went out and met Joe Pompe in 41 Mulberry; that was the first time I saw him that night, he was with his father-in-law and mother-in-law, I went into the saloon but did not go in with Joe, Joe was there about ten or fifteen minutes waiting for me; I asked him to get me a job of work, I live across the way from 41 Mulberry Street and I saw Joe go in, he started to go out and had only been out about two seconds before me; he told me in the saloon that he wanted to give me a job over in 33rd Street; I did not go out with him because I was talking with a friend of mine; when I went out I saw the Defendant rushing past through the alley and running up through Mulberry Street after he struck Joe, I did not see him before that; I ran after him as far as Mott Street; it is not a fact that Bubbo and I were drinking in the same saloon; with is not a fact that I saw the defendant take money out of his pocket in payment for some drinks. Joe and I did not come out together.

I did not see the complainant with his hands in the Defendant's pocket, I did not see him jump on him.

DELIA REILLY sworn and examined.

I am living in 41 Mulberry Street and on October 27 I was going through the alley and the big gate was closed which goes from the street into the yard, I live in the rear; the prisoner and two other men were fighting in the yard at the side door, about twelve or fifteen feet from the street, I could not get past, I never saw the Defendant before, I could not tell whether I ever saw the two men with whom he was fighting before or not because it was dark, they fought there about two or three minutes, the shortest one opened the gate and he rushed out into the street, I could not say that I saw the face of the shortest one because I was not close enough to him; I went out as far as the gate and I met Joe Pompe and he asked me if my husband had come home and I said no and the prisoner rushed out and he slashed him in the face, I went out before the last man went out. I knew the prisoner before by sight, I am not acquainted with him except through my husband, he was not the man who rushed out, it was a shorter man; the prisoner drew his knife and he slashed him in the face; I could not say whether it was a knife or a razor; I saw something in his hand. He did not say anything to Pompe before he struck him and Pompe did not say anything to him; after he struck him he ran up towards Bayard Street, I brought Joseph into my room in the rear and washed his face and gave him a towel to go to the Station House; I saw his face was cut, his nose, and he was bruised under the eye,

he was bleeding freely, I did not see the prisoner after that, I did not go to the station house; I am sure that the prisoner is the man I saw run out of the alleyway and strike Joseph in the way that I have described; I could see every thing very plainly from the light in the bar-room; I did not see the man's face as he rushed out; he ran between me and Joseph.

CROSS EXAMINED.

This was about a quarter after eight. I did not speak to Polida at all, the men were tussling at one another in the yard, I was going through to go into the street.

After the row took place and the two men had rushed away I walked quietly out. I keep house for my husband and sometimes for other men, I never kept house for Joe, I have known Pompe about a year.

WILLIAM HOLDER sworn and examined.

I am attached to the 6th precinct police and on the night of the 27th of October I was on duty in Mott St.

I saw the prisoner and two other men running, I was standing at the corner of Bayard and Mott Street, there was a political meeting there that night, the prisoner turned the corner of Bayard and Mott towards Canal Street; I know the premises 41 Mulberry Street where these people live and the alleyway that the witnesses had testified about, it is wide enough for a wagon to go in and there is a big gate at the entrance and a side door entrance to the saloon about fifteen feet from the front of the house; I ran after the prisoner and one of the men that was after him was a witness who was here a little while ago.

I asked the prisoner what was the matter with him and somebody said he stabbed a man in Mulberry Street. I asked where the man was; they said he was down in Mulberry Street; I said to this fellow, "come on down to see if I can find him", and on the way down we met Joseph Pompe and three or four people coming up the street with him going in the direction of the station house, he had a towel in his hand holding it up to his face and he was all blood. I asked the complainant in the presence of the Defendant if he was the man who cut him and he said yes; he pointed to the prisoner; the prisoner did not say anything, he shrugged his shoulders, he could not speak any English.

I searched him and found the razor and the knife which I produce; when I went into his pocket he dropped the case of the razor on the sidewalk, I heard it drop, the knife and the razor were in the same pocket in the left hand pocket of the coat, the outside sack coat; the knife and the razor were closed. The complainant made a complaint in the station house against this man for cutting him. I understood the prisoner to say through the Interpreter that he thought it was another man --- that he did not think it was the complainant he cut but somebody else. I don't know who the interpreter was at the station house the complainant was there and heard what the interpreter said when he talked with the prisoner.

CROSS EXAMINED. This is a pretty tough neighborhood, I followed the prisoner about fifty feet; I never saw the prisoner before to my knowledge; when I made the arrest the prisoner was not bleeding, he seemed to have blood on the back of his head at the station house.

GUISEPPIE POMPE recalled by Mr. Goff.

I am an Italian and understand the Italian language; I heard the Defendant talk in that language at the station house. I asked him what did he want to cut me for and he said he did not know; there was another Italian came up with us to the station house and while the doctor was sewing me up the prisoner said, "don't say that I done this and I will give you five dollars" --- he said that to another Italian, I did not hear it but the man told me himself. In the morning when I went to the Tombs the Defendant had an Italian interpreter there and he told me that he did not mean to stab me, he said that to the Interpreter, he thought I was one of the men that was fighting with him.

ANTONIO POLIDA recalled.

I was at the Station House when the prisoner spoke in Italian to some other Italian there; he said to another fellow, "I will give you five dollars if you tell to the sergeant I did not hit the man", I did not hear him say anything else. He said that was not the man he was trying to hit, that he took him for a different man.

GIOVANNI BUBBO sworn and examined in his own behalf:

I live at 119 Mulberry Street, I lived there only four days, I came in from the country, I am a laborer. I was never acquainted with Pompe before this occurrence nor with Polida. On the 27th of October, it was about half past seven in the evening, there is a bar-room in the same house

and several of my countrymen and I were drinking; I went out and they remained in the bar-room, on my way to go home I met with those people, there were three persons and among them the one who received the cut; the woman who was a witness here was there also. She invited me to go with her, she asked me to her home in the house and when I gave her thirty-five cents and she said, "get out of here", and I left to go home. When I was a short distance away from the house where the woman lives, out in the street, and as I was walking on the sidewalk those three assaulted me and commenced to beat me; they hit me with their fists, I was wounded in the back of my head and they threw me on the ground-- the Defendant and Polida were among them and whilst they were beating me then Polida said, "you give me five dollars or I will kill you." When I freed myself from this assault I took my knife and I hit one and so I got away, I ran away and they caught me the second time and commenced to beat me again. I did not go out with the intention that evening to have a fight, I was looking about my business, I ran away from my assailants and the policeman came up and arrested me, I ran away in order that they might not beat me any more; those three persons had me on the ground and I thought they would kill me; I had ten dollars on my person at the time. I was in the saloon before this assault took place and we were talking about work and one thing or another and were drinking in the saloon. I took the ten dollars out when I went to pay for drinks and I think some of them must have seen it, I did not see Pompe and Polida in the saloon, I do not know positively

whether they were in the saloon or not, I saw them outside in front of the saloon, those are the men who assaulted me, I work on railroads generally in the country, I had the knife now shown me in my pocket, I brought it from Italy; I cut bread and one thing or another with it, that was the only purpose for which I carried it. When they threw me down the first time and beat me on the ground I took it out, I thought they were about to kill me. I got that razor in the country a countryman of mine made it a present to me to shave myself, I carried it in my pocket.

CROSS EXAMINED.

About two months ago was the last time I shaved myself with it and I used to shave my companions sometimes. When I first came out of the saloon I could not tell which of the men struck me because it was rather dark and I was beaten by all three at once. One of the men who struck me was a witness here, I never saw Pompe or Polida before that night. Another one who was with Antonio spoke to me first and said, "did not you hear the two pistol shots?" I said, "no, I did not hear any pistol shots", and at the same time when they finished talking to me I was seized by them and they commenced to beat me. I was struck while I was down and when I was on the ground I took my knife out and I struck out with the knife and then got up and ran away. The knife was closed when I took it out of my pocket, I was on the ground when I opened it, I was lying sideways on the sidewalk. They were bending over me when I struck with the knife, they kicked me also and with a stone they hit me here on the head. It was dark in the

alleyway but there was some reflection from the street lamp getting in to that alleyway so that I could see the faces.

All three of them struck me, I received kicks and blows, I was kicked and beaten and my head was so swollen that I could not see out of my eyes, I had a scratch on the cheek.

When I struck with the knife I was leaning on my right side upon the sidewalk and after I struck with the knife I ran away. I first met the woman I went with on the sidewalk in front of the house; she hollered to me and said, "come here." I said, "no, I have a family and don't want to." I went with the woman who is not here; she did not speak Italian to me, I understand some English but I am not able to speak. Antonio said to me, "give me five dollars or I will kill you"; he said this before I drew the knife. I said, "I will not give you five dollars", and then they commenced to strike me. I have a wife and five children and I support my father and mother, they are all in Italy and I send my savings to Italy, I have sent ninety-three dollars to Italy, I am here since April last.

PETER ANDRALOI sworn and examined.

I am in the banking business at 124 Mulberry Street and have been in that business about eleven years, I know the prisoner for seven or eight months, the first day he came to New York he came to my house and I have seen him frequently since then, he is a very good man; I am the one who sent the money to Italy for him, it was sent to the father and mother in my capacity as a banker.

CROSS EXAMINED.

I have never met the Defendant outside of business matters, I conduct my business at

124 Mulberry Street and I have another office uptown; the Defendant called at my office to transmit money to the Old Country, that is the extent of my acquaintance with him; I sent him once to New Jersey to work; he has plenty of friends and everyone says he has always been a very good man.

FRANCIS COMATO sworn and examined.

I am thirty-five years old and live at 119 Mulberry St. and am a laborer; I know the defendant, we came together from Italy, we are from the same village, I have not worked with him here, he is a good man and attends to his own business and does not interfere with anyone.

CROSS EXAMINED. I did not know anything about his carrying a knife or razor but I know him to be a good man.

ANTONIO POLIDA recalled.

I am a laborer and have lived in New York about thirteen years, I am a citizen and a married man and reside with my family at 38 Mulberry Street, I have been living there for the last ten or twelve years, I work for a man named Frank Doyle in the trunk business at No. 1 Vesey St. He knows me for the last thirteen years and if you want to know my reputation down town they will tell you who I am.

It is not true that I asked the prisoner for five dollars and threatened to kill him if he would not give it to me; I did not see the man before and never knew him. I was not working in Vesey Street at the time of the occurrence but was working uptown; I have not been working for that man in Vesey Street for the last two years steady; I had

worked about two weeks before that for him carrying out trunks; I had been working for him two or three years continuously but I have known him for the last thirteen years and before that I was a bootblack, I went to work uptown as a laborer because I was getting more money, I was getting two dollars a day. I have seen this woman Reilly around Mulberry Street but I had not a word to say to her, she is a fast woman.

The Jury rendered a verdict of guilty of assault in the second degree with a strong recommendation to mercy.

The Defendant was remanded for sentence.

0445

13

filed Nov 1990

[illegible]

Police Court _____ District.

City and County { ss.:
of New York,

of No. 36 Cherry Street, aged 27 years,
occupation Bar tender being duly sworn
deposes and says, that on the 27 day of October 1888 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Giuseppe Dubbo (now known
who put and stabbed
deponent on the face with
some sharp instrument
which he then held in
his hand and said assault
was committed

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

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

Sworn to before me, this 28 day }
of October 1888 } Giuseppe Pompe

A. J. White Police Justice.

POOR QUALITY
ORIGINAL

0447

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

Giovanni Bubba 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
Giovanni Bubba

Taken before me this
day of

Police Justice.

POOR QUALITY
ORIGINAL

0448

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

Police Court---

District.

1636

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John A. Burke
36 - 18 - 1895
Samuel Burke

2 _____
3 _____
4 _____
Dated _____
Office _____

Magistrate.

Officer.

6 _____
Precinct.

Witnesses.

No. 41 *Charles Perry*
Street.

No. 38 *Charles Perry*
Street.

No. 38 *Charles Perry*
Street.

No. 38 *Charles Perry*
Street.

No. 38 *Charles Perry*
Street.

No. 38 *Charles Perry*
Street.

No. 38 *Charles Perry*
Street.

No. 38 *Charles Perry*
Street.

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

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

Dated *Dec 28 50* 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Giovanni Bubbo

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

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

The said *Giovanni Bubbo*

late of the City of New York, in the County of New York aforesaid, on the
Twenty-seventh day of *October* in the year of our Lord
one thousand eight hundred and *ninety*, with force and arms, at the City and
County aforesaid, in and upon the body of one *Giuseppe Pompe*
in the Peace of the said People then and there being, feloniously did make an assault
and *him* the said *Giuseppe Pompe*
with a certain *sharp instrument to the*
Grand Jury aforesaid unknown,
which the said *Giovanni Bubbo*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent *him* the said *Giuseppe Pompe*
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

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

The said *Giovanni Bubbo*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said *Giuseppe Pompe* in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and *him* the said

with a certain *sharp instrument to the*
Grand Jury aforesaid unknown,
which the said *Giovanni Bubbo*

in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York,
and their dignity.

THIRD COUNT—

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

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

The said

Giovanni Bubbo
late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said
Giuseppe Pompe in the peace of the said People then
and there being, feloniously and wilfully and wrongfully make another assault, and
his the said *Giuseppe Pompe*
with a certain sharp instrument to the
Grand Jury aforesaid unknown,
which he the said *Giovanni Bubbo*
in his right hand then and there had and held, in and upon the face
of him the said *Giuseppe Pompe*
then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-
fully inflict grievous bodily harm upon the said *Giuseppe Pompe*
against the form of the statute in such case made and provided, and against the peace
of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0451

BOX:

416

FOLDER:

3845

DESCRIPTION:

Budenbender, George F.

DATE:

11/11/90



3845

Witnesses:

complainant in her
withdrewal acknowledge
her mistake in arrest
the defendant - defendant
character is excellent -
The indictment should
never have been
found - as the
prisoner has not
committed any
crime - (vide)
defendant's explanation
I respectfully ask
that this indictment
be dismissed

May 20th 91
Gunning T. Bedford
A.D.A.

Counsel,

Filed

Pleads,

N. P. O'Connell
1438-1321
day of
1890

(Sections 528 and 530 of the Penal Code).
Grand Larceny (first degree)
(MISAPPROPRIATION.)

THE PEOPLE

vs.

B

George T. Odenbender

JOHN R. FELLOWS,

District Attorney.

Ret. III May 20/91 -
Indictment dismissed
A True Bill

Foreman.

J. W. O'Connell

Wm. T. O'Connell

Ret. III May 20/91

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

George F. Budensunder

As complainant in the above case, I beg to recommend the defendant, to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. After investigating the facts involved in this case and proper explanation made of the surrounding circumstances it is now my conviction that the accused is not guilty of the charge made against him ^{and} that he never was intended to commit any act contrary to the laws of this State and for the above reasons I hereby desire to withdraw the complaint by me previously made. —

Sworn and subscribed to
before me this 16 day of
May 1891

x

Ottillie Müller.

*H. C. Knicker
Notary Public
N. Y. City*

POOR QUALITY
ORIGINAL

0454

DIRECTIONS.

The Grand Jury Rooms are in the third story of the large brown stone building in Chambers Street, near the new Court-house in the Park. When you arrive at the witnessroom, hand this notice to the officer or clerk at the desk.

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

To *George F. Budenbender*

No. _____

You are hereby notified that the Grand Jury of the City and County of New York, now in Session, is willing to hear any explanation you may think proper in relation to a certain charge against you, pending before that body, or any statement of facts which you may think will tend to your exculpation.

But you are to distinctly understand that you are not and cannot be, under any circumstances, required or compelled to appear before the Grand Jury, or to testify in relation to the charge against you. Your appearance and the evidence you may give in case you so decide, must be entirely voluntary, and your failure or refusal to so appear or testify is incapable of raising any unfavorable presumption, or in any way operating to your prejudice.

You may avail yourself of the privilege hereby extended, by personally appearing in your proper person, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the new Court-house in the Park, in the City of New York, on the *seventh* day of *November* 189*0* instant, at the hour of 10.30 in the forenoon of the same day.

Yours, &c.,

JOHN R. FELLOWS, *District Attorney.*

POOR QUALITY
ORIGINAL

0455

Sec. 192.

H District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Chas. J. Taintor a Police Justice
of the City of New York, charging Geo. F. Budenbender Defendant with
the offence of Grand Larceny

and he having been brought before said Justice for an examination of said charge, and it having been made
to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and
the hearing thereof having been adjourned

We, George F. Budenbender Defendant of No. 4199

Franklin Aaron Street; by occupation a attorney at law

and Robert H. Matthews of No. 353 Pleasant Avenue

Street, by occupation a speculator Surety, hereby jointly and severally undertake

that the above named George F. Budenbender Defendant

shall personally appear before the said Justice, at the H District Police Court in the City of New York,

during the said examination, or that we will pay to the People of the State of New York the sum of Twenty

Hundred Dollars.

Taken and acknowledged before me, this 28

day of September 1898

Charles J. Taintor POLICE JUSTICE.

Geo. F. Budenbender
Robert H. Matthews

POOR QUALITY
ORIGINAL

0456

CITY AND COUNTY } ss.
NEW YORK,

day of Sept 1890
Charles H. Matthews Police Justice.

Sworn to before me, this 26

the within named Bail and Surety being duly sworn, says, that he is a resident and free
holder within the said County and State, and is worth forty Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,
and that his property consists of a house and lot in
located and known as 67 East
128th Street, New York City
four thousand dollars free
and clear
Robert H. Matthews

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

vs.

Taken the 26 day of Sept 1890

Justice.

POOR QUALITY
ORIGINAL

0457

Sec. 151.

Police Court 4th District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

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 Ottile Müller
of No. 410 E. 63rd Street, that on the 28th day of May
1890 at the City of New York, in the County of New York, the following article to wit:

One Thousand Dollars lawful money of the
United States of America

of the value of One Thousand Dollars,
the property of said Ottile Müller
was taken, stolen and carried away and as the said complainant has cause to suspect, and does suspect and
believe, by George F. Gudenbender

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 every of you, to apprehend the body of the said Defendant
and forthwith bring him before me, at the 4th 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

25 day of September, 1890

Charles W. Frintz

POLICE JUSTICE.

0458

The within named

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

Dated _____ 188

Police Justice.

Warrent-Larney.

Dated Sept. 25, 1880

Magistrate

Phillips Officer.
e Defendant Geo. F. Rundenbender.

The Defendant Geo. F. Vandenberg taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Dated Sept 26 1890

This Warrant may be executed on Sunday or at night.

Police Justice.

POOR QUALITY
ORIGINAL

0459

Police Court— 4th District.

Affidavit—Larceny.

City and County } ss.
of New York,

Ottalie Muller

of No. 410 E. 63rd

Street, aged 29 years,

occupation housekeeper

being duly sworn

deposes and says, that on the 28th day of May 1890 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One Thousand Dollars, legal money of the United States of America

the property of deponent as executrix of the estate of Charles Muller, deceased

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 one George F. Gudenbender, under

the following circumstances: On or about the 28th day of May 1890 this deponent came into the lawful possession of and entitled to the sum of \$1,000 lawful money as aforesaid, as such executrix. That on or about said day, deponent deposited in the hands of the said George F. Gudenbender and who received the same, the sum of \$1,000 aforesaid upon the understanding that he the said George F. Gudenbender should hold and keep the same safe and secure until the same should be demanded by the deponent. That deponent has demanded said sum of \$1,000 from said George F. Gudenbender since

Subscribed before me this 29th day of May 1890

Police Justice

POOR QUALITY
ORIGINAL

0460

the aforesaid deposit but he has refused and
still refuses to deliver the same.

Sworn to before me this
25 day of September 1890.

Ottile Müller,
Charles K. Juntor
Police Justice

POOR QUALITY
ORIGINAL

0461

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK,

11 District Police Court.

George J. Buckenbender 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. George J. Buckenbender

Question. How old are you?

Answer. 34 years

Question. Where were you born?

Answer. Brown City, N.Y.

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

Answer. No 219 East 89th St 27 days

Question. What is your business or profession?

Answer. Lawyer

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 and
I waive further examination

Geo. J. Buckenbender

Taken before me this

day of

1887

Charles W. Stearns

Police Justice.

0462

154 42. 1652

Police Court-- District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Attie Mullen

410 East 63 St

Geo. H. Gordon

188

No. _____

2 _____

8 _____

4 _____

Offence

Larceny

Dated

Adkins

Magistrate

Chiles

Officer

Court Precinct

Witness

No. _____

Street

No. _____

Street

No. _____

Street

to answer

RECEIVED
NOV 3 1890
DISTRICT ATTORNEY'S OFFICE

Dated.....18.....*Police Justice.*

General Sessions

The People vs
agst
George F. Budebender

Carl R. Muller , died January 10th 1890, leaving him surviving, his widow Otilie Muller and five children.

Prior to and at the time of his death he was a member of Steuben Lodge, Ancient Order of United Workmen.

By reason of his membership in the lodge upon his death the person designated by him in the certificate of membership, which was issued to him when he joined the lodge became entitled to \$2000.

Mr. Muller directed that \$1000 of his insurance money be paid over to his widow and the remaining \$1000, to his children who are all minors.

The By-Laws of the lodge required that a guardian be appointed by the Surrogate for the children to whom the money \$1000, would be paid.

Mrs. Muller at this time counseled with me and requested me to represent her as her attorney.

An application was made to the Surrogate of said County of New York, by me for the appointment of Mrs. Muller as guardian of her children.

Mrs. Muller was unable to furnish two bondsmen as required by law in order to secure her appointment as guardian and solicited me to obtain them for her, she avering that she knew no one who would go on her bond, and at my earnest so-

licitation and after a great deal of running about I finally succeeded in getting Mr. Otto Schwenk and Richard Damm who were acquaintences and clients of mine to act as her bondsmen.

Neither one of the bondsmen was ^{with} acquainted or knew Mrs Muller and both of them consented to act as her bondsmen as a favor and through courtesy to me.

When Muller died he left his widow and family penniless and from the time of his death and until the money from the lodge was received I assisted Mrs Muller financialy and other wise to keep the wolf from the door, I counseld and advised her in all her matters and difficulties for which I received no recompense.

About April 25th 1890, Mrs. Muller received from the Recording Secretary of Steuben Lodge two drafts one for \$400, payable to her order individually and the other for \$1600, payable to her as guardian of her children, both of these drafts were on the National Park Bank of this City.

Immediately upon the receipt of these drafts Mrs. Muller turned them over to me, the draft of \$400, I had cashed for her and in her presence by a Mr. Schoonmaker, of Chatham Square and turned the money over to her which amount — or a part thereof she deposited in the Bowery Savings Bank where I assisted her to open an account.

The \$1600, draft I deposited in the Murray Hill Bank 47th St. and Third Avenue on April 29th 1890, through Mr. N. J. O'Connell who had an account there.

May 6th 1890, I drew \$600, from the Murray Hill Bank and gave it to Mrs. Muller making in all that she received

\$1000, that being the amount which under her husbands certificate she was intitled to .

The remaining \$1000, (the childrens money) was left in my hands by her for future investment I having advised her to that she was not entitled to any part of that money.

Subsequently I learned that Mrs. Muller was not ~~the~~ a proper person to have charge of her childrens money and was told by the bondsmen not to pay her this money, and that they blamed me if they were called upon to pay out any money by reason of they having become her bondsmen .

Both of them were anxious to withdraw from the bond and requested me to keep possession of the money until new bondsmen were found.

July last Mrs. Muller called upon me and demanded that I turn over to her the \$1000 in my possession , and informed me that she was in need of the money and was in absolute want.

The fact that she received in April \$1000 and had spent that between April and July led me to believe that she was a very extravagant person, and not the proper person to have possession of the childrens money.

I learned also that a brotherinlaw of hers desired to commence some sort of business and that she wanted a part of this money for this purpose.

I informed her that I would not turn the money over to her that I had been notified not to do so by her to bondsmen and also by one Frank Duwanger who was and is now the master workman or presiding officer of Steuben Lodge of which deceased was a member and through which the \$2000 was paid.

I had numerous interviewns with Mrs Muller at all of which I informed her that I would not turn over the monies in my hands belonging to her children, unless she obtained the consent of Mr Damm and Mr Schwenk the two bondsmen or furnished a new set of bondsmen.

When she finally found that I was firm and would not turn over the money to her she applied for a warrant, obtained it and caused my arrest.

I was guided in assuming the position which I have taken in this matter in refusing to turn over the omeys to Mrs Muller by the fact that I learned she was a totally irresponsible and extravagant person and one wholly unfit to take charge of \$1000.00 belonging to her children, and also by the fact that her two bondsmen were obtained by me and they indirectly looked to me for indemnity in case they became liable upon their bond and further by the fact that they had instructed me not to turn over the money to Mrs Muller they also having learned of her extravagant mode of living.

Geo F. Budenbender
deft.

City and County of New York ss

GEORGE F. BUDENBENDER being duly sworn says that he has read the foregoing statement and knows the contents thereof and that the same is true of his own knowledge except as to the matters therein stated to be alleged on information and belief and as to those he believes it to be true.

Sworn to before me this
20th day of December 1890.

Geo F. Budenbender

J. H. Cornell
Notary Public
N.Y.C.

POOR QUALITY
ORIGINAL

0467

General Sessions:

She People &c

- vs -

Geo. J. Buderlander

Statement.

OFFICE OF

Superintendent of Repairs

U. S. Public Buildings

City and County
of New York }

New York Nov 20th, 1890.

John W. Marshall being duly
sworn says:-

I am well acquainted with
George F. Brudenbender and have
known him for upwards of ten
years. I have always known him
to be of good moral character,
industrious honest and upright
and withal devotedly attached to
his family

Sworn to before me } C. Kuchenbecker
Nov 20th 1890 }

Notary Public.

John W. Marshall

city and County } S. S.
of New York }

William R. Keese
being duly sworn says.

I am an attorney and
counselor at law practicing in this city
and have my office at No 132 Nassau
Street.

I am well acquainted
with George F. Budebender and have
known him intimately since 1879.

I have always known
and regarded said Budebender to be honest,
upright and straight forward in all his
dealings and have always regarded him
as a conscientious and honorable young man

Sworn to before me

NW 22 1890

Wm. R. Keese

Chas Forster
Not Public
N.Y. Co

city and beauty of S.S.
of New York

George Lamson being
duly sworn says.

I am engaged in the
banking business with Messrs Lamson Hoffman
and Co at No 50 Wall Street in the City
of New York.

I am well acquainted
with George F. Dudenbender and have
known him intimately for upwards of
fifteen years.

I have always known
him to be of good moral character,
industrious upright and honest, and
am well acquainted with his family
which I know to be a highly respectable
one.

Sworn to before me }
Nov 20th 1890 }

Wm. Phillips

Geo. Lamson

NOTARY PUBLIC Kings Co.
CERTIFICATE FILED IN N. Y. Co.

City and County } S.S.
of New York }

Gustav A. Schwenk
being duly sworn says.

I am engaged in the
wholesale liquor business at No 3397- 3d
Avenue, New York City.

I am personally
acquainted with George J. Budebender
and have known him for about three
years past.

I have retained him
as my attorney in several cases for
the collection of monies and have
always found him to be conscientious,
and trustworthy in matters entrusted to
him.

During my acquaintance
with said Budebender I have always
known him to be industrious, honest and
upright in all his dealings.

Subscribed before me
Nov 20th 1890

Halter E. Vermon.

Notary Public 751103.

New York County.

Gustav A. Schwenk

City and County of New York ss

NICHOLAS J. O'CONNELL being duly sworn says that he
is an attorney at law, practising in this State.


That deponent for the last eight or nine years has
been personally acquainted with GEORGE F. BUDENBENDER and
during the last five years, quite intimately.

That deponent has in all his business relations with
said BUDENBENDER, found him possessed of an honest, trust-
worthy and candid business integrity, so much so, that depon-
ent would not hesitate to entrust said BUDENBENDER with the
welfare (business or pecuniarily), of deponent.

Deponent regards BUDENBENDER'S position in this diffie-
culty, as simply one of the numerous mistakes which every
business man is liable to make.

Sworn to before me this

21st day of November 1890.



(49) Notary Public N.Y.C.

**POOR QUALITY
ORIGINAL**

0473

City and County of New York ss

James J. O'Connor being duly sworn says :-.

I am engaged in the undertaking business at Number
3457-3rd Avenue, New York City.

I am personally acquainted with George F. Budenbender and have known him for nearly two years last past.

I have retained him as my attorney in several legal matters and have always found him to be conscientious, and trustworthy in matters entrusted to him.

During my acquaintanceship with said Budenbender I have always known him to be industrious, honest and upright in all his dealings.

Sworn to before me this

22nd day of November 1890.

J J O'Connor
J J O'Connor
Notary Public
N.Y.C.

POOR QUALITY
ORIGINAL

0474

General Sessions.

The People vs

vs

Geo. A. Bundenbush.

Affidavits of character
of defendant.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

George F. Gundersen

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

George F. Gundersen

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

The said *George F. Gundersen*,

late of the City of New York, in the County of New York aforesaid, on the *Twenty-first* day of *May* in the year of our Lord one thousand eight hundred and *eighty-ninth* at the City and County aforesaid, being then and there the clerk and servant of *attorney, agent and*

heir of one Ottilie Müller, general guardian of the person and property of Ottilie Müller the younger, Helene Müller, Hedwig Müller, Martha Müller and Rosa Müller, minors,
and as such clerk and servant then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said *Ottilie Müller, such general guardian,*

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

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

to his own use, with intent to deprive and defraud the said *Ottilie Müller, general guardian as aforesaid* of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said *Ottilie Müller, general guardian as aforesaid* did then and there and thereby feloniously steal, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0476

BOX:

416

FOLDER:

3845

DESCRIPTION:

Burger, Rudolph

DATE:

11/13/90



3845

0477

BOX:

416

FOLDER:

3845

DESCRIPTION:

Burger, Rudolph

DATE:

11/13/90



3845

POOR QUALITY
ORIGINAL

0478

96

Counsel
Filed
Pleads.
13
1880
Not guilty

VIOLATION OF EXCISE LAW.
(Selling to Minor).
[Section 290, Penal Code, sub. 8.]

THE PEOPLE

vs.

Rudolph Burger

vs. 1st

JOHN R. FELLOWS,
District Attorney.

A True Bill.

W. H. Thompson
Foreman.
Alexander Gentry
June 8 20 00 J. H.

Witnesses:

The People of
-10-
Rudolph Berger

City and County of New York, S.S.
Rudolph Berger being duly
sworn says: I am the defendant herein,
was arrested on or about September 15
1890. Charged with selling Lager Bier
to a minor, while I was employed as
Bar tender at No. 1487-3rd Avenue,
owned by one Daniel J. Dugly.

Deponent says that he never did
sell any Bier to a minor to the best
of his knowledge, he was ordered by
his employer to be careful and not
sell to a minor - this order deponent always
observed.

Sworn to before me }
this 13th day of }
November 1890 }
William J. Boyham
Com of Deeds.
N.Y. City.

Rudolph Berger

The People of
- vs -
Rudolph Berger

City and County of New York S.S.

Daniel J. Lurley being duly sworn says. I am owner of Liquor Store at N^o 1487 - 3^d Avenue, this City. had the ~~sup~~ above named defendant employed as Bartender at said store. When I employed him I gave him instructions to be careful and not sell any liquors or Lager Beer to any minor. I am positive that he would not sell to minor if he carried out my instructions. The defendant declares to me that he obeyed my orders - Sworn to before me this 1/3.

Daniel J. Lurley,

day of November 1890

William J. Boyhan

Com. of Deeds,

N. Y. City & Co.

POOR QUALITY
ORIGINAL

0481

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

Charles W. Gardner

of No. *100 E. 28* Street, being duly sworn, deposes and says,

that *Rudolph Burger* (now present) is the person of the name of

John Doe mentioned in deponent's affidavit of the *12*

day of *September* 188*7* hereunto annexed.

Sworn to before me, this *24* day of *Sept* 188*7* } *Charles W. Gardner*

POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0482

Police Court, 5th District.

City and County } ss.
of New York,

of No. 100 West 23rd Street, aged _____ years,
occupation Special Dep't. being duly sworn, deposes and says,
that on the 12th day of September 1890, at the City of New
York, in the County of New York, at the liquor store

situate on premises North East
corner of Eighth Avenue Street and
Third Avenue, in said city one
John Doe. (real name unknown)
did then and there sell and
deliver a quantity of liquor
beer to a certain minor child called
Leo Hoffman, the said Leo Hoffman
then and there being a minor
child actually and apparently
under the age of sixteen years
15 ^{1/2} ~~15~~ of the age of ten years in
violation of the Statute in
such case made and provided
and especially of Section 290
of the Penal Code of the
State of New York as amended

Wherefore deponent prays
said John Doe may be
apprehended, arrested
and dealt with according to
law.

Sworn to before me this
10th day of September 1890

John W. Gardner

Palmer Justice

POOR QUALITY
ORIGINAL

0483

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 mentioned, I order n. to be discharged.
Dated 188
Police Justice.

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars, and be committed to the Warden and Keeper of the City
Prison of the City of New York, until he give such bail.
Dated 188
Police Justice.

Offence, *murder*

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John W. Warden

vs.

John W. Warden

1
2
3
4

Dated Sept 20 1890

Warden Magistrate.

Warden Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street.

\$ to answer Sessions

POOR QUALITY
ORIGINAL

0484

Sec. 198-200

CITY AND COUNTY
OF NEW YORK, } ss.

5- District Police Court.

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

Question. What is your name?

Answer.

Rudolph Burger

Question. How old are you?

Answer.

28 years old

Question. Where were you born?

Answer.

Germany

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

Answer.

1588, 1st av 3 days

Question. What is your business or profession?

Answer.

Butcher

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
and demand a trial by jury
Rudolf Burger*

Taken before me this

day of *Sept* 1934

1890

George McCall

Police Justice.

POOR QUALITY
ORIGINAL

0485

Sec. 151.

Police Court 5th District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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 Doe

of No. 100 East 23d Street, that on the 12 day of September

1890 at the City of New York, in the County of New York, at Saloon situated on premises
South east corner of Eighth Avenue Street and
Third Avenue in said City one John Doe
real name unknown did then and there
unlawfully sell and deliver a quantity
larger beer to a certain minor child, called
Geo. Hoffman, the said child then and there
being under the age of sixteen years
and of the age of ten years, in violation
of the Statute in such case and especially of
Section 290 of the Penal Code.

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 5th 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 20th day of September 1890

W. S. O. W. POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0486

POLICE COURT 5th DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles W. Gardner

vs.

John Doe

Real name

unknown

Warrant-General.

Dated: Sept 20 1890

William P. ... Magistrate.

Gardner Officer.

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

Charles W. Gardner Officer.

Dated Sept 24 1890.

This Warrant may be executed on Sunday or at
night.

... Police Justice.

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

Dated

188

Police Justice.

The within named

POOR QUALITY
ORIGINAL

0487

BAILED,
No. 1, by *William J. Dwyer*
Residence *326 W. 13th St.*
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

Police Court, *5-1464* District.
THE PEOPLE, &c.,
ON THE COMPLAINT OF
Charles W. Gardner
Arthur H. Burger
vs.
Selling Liquor to
minor
Dated, *Sept 24* 1890
Michael Magistrate.
Quinn Officer.
Society Precinct.
Witnesses _____
No. _____ Street.
No. _____ Street.
No. *300* to answer. *Paula*
SEP 25 1890
RECEIVED
DISTRICT ATTORNEY'S OFFICE.

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

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

Dated, *Sept 24* 1890 *W. W. Mead* Police Justice.

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

Dated, *Sept 24* 1890 *W. W. Mead* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

POOR QUALITY
ORIGINAL

0488

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Rudolph Burger

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

accuse

Rudolph Burger
of a MISDEMEANOR, committed as follows:

The said

Rudolph Burger

late of the City of New York, in the County of New York aforesaid, on the
twelfth day of *September* in the year of our Lord
one thousand eight hundred and ninety

, at the City and County aforesaid,

certain strong and spirituous liquors, and certain wine, ale and beer, to wit: One gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury
aforesaid unknown, unlawfully did sell, and cause and procure and permit to be sold to one

Leo Hoffman who was then and
there a child actually and apparently under the age of sixteen years, to wit: of the age of
ten years, against the form of the statute in such case made and provided, and

against the peace of the People of the State of New York, and their dignity.

JOHN R. FELLOWS,

District Attorney.

0489

BOX:

416

FOLDER:

3845

DESCRIPTION:

Butler, Stephen A.

DATE:

11/07/90



3845

Witnesses:

It appears from the certificate of Drs. Fitch & Field that the defendant is insane. Judge Ehrlich has made a certificate for his admission to Bloomingdale by June 1st which he will be at once taken & relieved from imprisonment on this indictment. I am satisfied that the defendant is now insane and was at the time of the commission of the offense. I respectfully recommend that the defendant be discharged upon his own recognizance & cost paid for the day fine. Part 2 Nov. 21/90

W. J. Moore
Dep. Dist.

Counsel,

Filed

day of

1890

Pleas,

THE PEOPLE

vs.

Forgery in the Second Degree.
(Sections 511 and 521, Penal Code.)

Stephen A. Butler

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Part 2 - Nov. 21, 1890.

Foreman.

Discharged on his own recognizance
on motion of District Attorney.

POOR QUALITY
ORIGINAL

0491

Police Court, District.

City and County } ss.
of New York,

of No. Coleman House Street, aged 27 years,
occupation Palisman being duly sworn, deposes and says,
that on the 29 day of October 1890 at the City of New
York, in the County of New York, Stephen A. Butler

(now here) did utter and pass upon
deponent, with intent to cheat and
defraud deponent, a certain false
fraudulent and forged check pur-
porting to have been drawn by
the firm of Decker, Merrill & Condit
on the Bank of New Amsterdam
for three hundred dollars, dated
Oct 29 1890, deponent viewed
marked it, and deponent is
informed by Charles L. Decker now
here, that he knows the said
check to be false and fraudulent
and not authorized by said firm.
Deponent asks that defendant
be held to answer said charge.

Sworn to before me this 1 day

of November 1890

James C. Butler
Police Justice.

Henry R. Levy

POOR QUALITY
ORIGINAL

0492

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

Charles L. Acker

of No. 50 West 56th Street, aged 40 years,
occupation Grocer, being duly sworn, deposes and says
that on the 1st day of November 18880

at the City of New York, in the County of New York, deponent has
seen a check purporting to have
been drawn by the firm of Acker
Merrill & Condit on the Bank of
New Amsterdam for the sum of
three hundred dollars, and deponent
knows that the said check was
not drawn by authority of said
firm. The said check is dated
Oct 29 and serially annexed
marked "A."

Chas. L. Acker

Sworn to before me, this 1st day
of November 18880

Do John A. Smith Police Justice.

POOR QUALITY
ORIGINAL

0493

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

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

Question. What is your name?

Answer. Stephen A Butler

Question. How old are you?

Answer. 18

Question. Where were you born?

Answer. N.Y.

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

Answer. 362 West 50th - 12 years

Question. What is your business or profession?

Answer. 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 have nothing to say

Stephen A Butler

Taken before me this

day of

March 1890

Do Police Justice.

POOR QUALITY
ORIGINAL

0494

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

William Coyne
of Special Officer 19 Prichard Street, aged 38 years,
occupation officer being duly sworn deposes and says

that on the 29 day of October 1898
at the City of New York, in the County of New York, he arrested

Stephen A. Badler (nowhere) on
a charge of attempting to
pass a worthless check

in Complaint on Emanuel
W. Gattle of Columan House
Department says that he

discovered said defendant committed
for Examination to enable him
to secure necessary Evidence and

William Coyne

Sworn to before me this
day of October 1898

Police Justice.

POOR QUALITY
ORIGINAL

0495

Police Court, 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Stephen a Bulle
vs.
AFFIDAVIT.

Dated *Oct 31* 188*9*
DOR Magistrate.

Officer.

Witness, _____

\$1500
Disposition, *E. J. Lee*
9. 2. M

POOR QUALITY ORIGINAL

0496

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

Police Court--- 2
District, 1648

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Henry N. Deas
William H. Hunt
Stephen A. Butler
Offence Forgery

Dated Nov 1 1880

O'Reilly
Magistrate,
Coryus
Officer.

Witnesses
Alceide
Cecilia Thoms
Charles Peters

No. 50 West 56
Street.

No. _____
Street.

No. _____
Street.

No. 5700
Street.



COMMITTED.

by
Judge

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

Stephen A. Butler

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \$400 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Nov 1 1880 Police Justice.

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

Dated 1880 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 1880 Police Justice.

POOR QUALITY
ORIGINAL

0497

Broadway, cor. 40th Street.

No. NEW YORK, *Oct. 29* 1890

THE BANK OF NEW AMSTERDAM,

PAY TO THE ORDER OF *of my Capital*

317 DOLLARS

\$ *300*

The Rocky Mount
& Co. Inc.

POOR QUALITY
ORIGINAL

0498

Broadway, cor. 40th Street.

No.

NEW YORK, *Oct 29* 189*0*

THE BANK OF NEW AMSTERDAM,

PAY TO THE ORDER OF

of my deposit

3000

DOLLARS

\$ *3000*

Wm. McKim Hunt
per order

POOR QUALITY
ORIGINAL

0499

Guttlers
Diamond Jeweler
1161 Broadway
NORTH WEST COR. OF 21ST ST.

New York, Oct 10 1890

Henry Hartman Esq.
Asst. Dist. Attorney

Dear Sir
I hereby wish to with-
draw the charg. ^{l.}
against Stephen A. Butler
for. I think he is not
in his right mind.
Yours truly
Guttlers

POOR QUALITY
ORIGINAL

0501

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Stephen A. Butler

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

I believe the defendant is of unsound mind. The check he offered to my concern, and which is the basis of the Complaint herein shows for itself. His actions at the time he offered the check ~~were~~ ~~indicate~~ ~~unsound~~ were very queer, and also when he was first arraigned. I then believed he was not sound in mind, and his arrest was made out of abundant caution. I do not for myself nor my concern desire to press matter further, and beg to withdraw complaint, and think defendant ought be placed in some institution for treatment.

Henry N. Levy.

Ex. 10. Document 13. 1890

Witness: H. H. Hartman

POOR QUALITY
ORIGINAL

0502

Parple

apt:

Stephen A. Butler

With drawn

of

Complaint

POOR QUALITY
ORIGINAL

0503

District Attorney's Office.

PEOPLE

vs.

Stephan A. Butler,

Forgery

*Put this case on
calendar of Part 2 -*

*I suggest that the
question of defendant's
guilt be tried -*

Apr. 19. 1890.

*Vernon M. Davis -
Acting Dist Atty*

POOR QUALITY
ORIGINAL

0504

The People

vs.

Stephen A Butler

affidavit of

Dr. Tule & Tule

Belmont Hospital

John Cullen

city of New York

113 0th Ave

NY

POOR QUALITY
ORIGINAL

0505

New York Nov 7/90

Dear Mother
Please pay
to the Gentlemen this Note
I made out as they say if
I will get ten years in
Sing Sing at half labor if
you dont cash this Note
Now Please pay this and I
can get out of it to night

Yours Forever

Stephen A. Butler
362 W 30
N.Y. City

POOR QUALITY
ORIGINAL

0506

My dear Sir - Nov 9th / 1890

This is to certify that I have this day -
made an examination, of Stephen A. Butler -
with regard to his Mental and Physical
condition - who is now an inmate of
the City Prison charged with Forgery
I find that he is suffering from a
form of insanity known as Duplicity -
and believe that he is incapable of advising
his counsel with regard to his defense
or of understanding the nature of the
charges against him

Allen Fitch M.D. -
59 West 35th St -

Seen to before me
this 10th day November 1890

E. D. Parson
Notary Public
N.Y.C.

New York, City

Nov. 9th 1890

I Matthew D. Field being duly sworn
state that I have this day personally
examined Stephen A. Barlow a pris-
oner, now confined in the City
Prison charged with rape &
further that I find him ignorant
& incapable of testifying
that he is incapable of understand-
ing the nature of the crime of which
he stands indicted or of making
his counsel in the prosecution
of a defense if he has any.

Matthew D. Field M.D.

Sworn & Subscribed to before
me this tenth day
November 1890

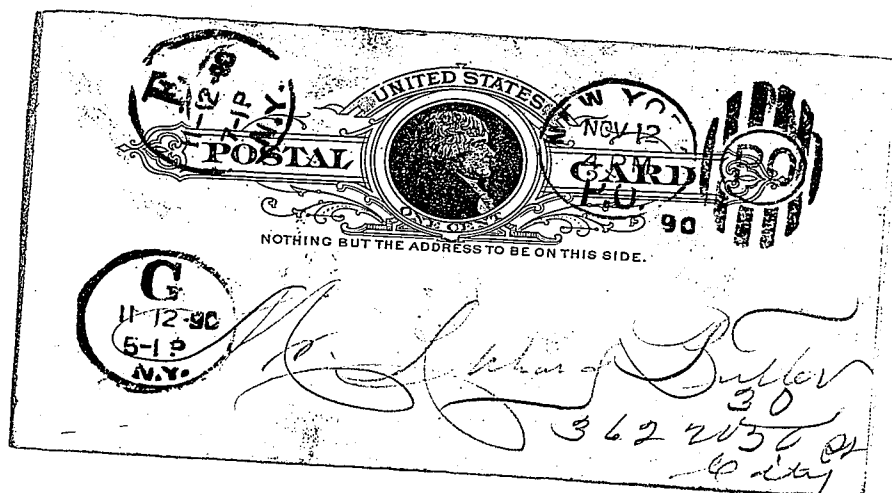
W. H. Young
Notary Public
In and for the City & County of N.Y.

POOR QUALITY
ORIGINAL

0508

Nov 11 1890
Dear Father
Please write
me a nice little letter
saying if that check
is good write Thursday
I am of oblige
Sincerely
Your son

0509



POOR QUALITY
ORIGINAL

05 10

Nov 9 1890

Please Pay after date I promise to pay to
the order of *J. Fitch & Jones*
Seven thousand Dollars
at *362 W 30 Street*


No. *1555*

Value received

Due *Mrs. E. M. Butler*

POOR QUALITY
ORIGINAL

0511

No. <i>197</i>	New York <i>Nov 27</i> - 18 <i>78</i>	Stamp <i>32,47</i>
	Bulls Head Bank	
Pay to the order of <i>Stephen A. Butler</i>		
<i>Three Thousand Dollars</i> <i>3,000</i>	Dollars	
\$ <i>3000</i>	<i>John H. Most</i>	
<small>Carlin, Macy & Co. Stationers, 39 Nassau St. N.Y.</small>		

**POOR QUALITY
ORIGINAL**

05 12

Francis M. Scott

POOR QUALITY
ORIGINAL

05 13

District Attorney's Office
City & County of
New York.

In matter of
Butler.

Nov. 14 1896.

My dear Colonel,

Mr Hartman in-
forms me that the papers in
the case of Peep vs. Butler
which you referred to him for
examination & on which he
has reported are now in
your desk for your consid-
eration & approval.

Will you kindly give your
earliest convenient attention
to the same.

Very
Yours,

J. M. C.

James M. Cullen

POOR QUALITY
ORIGINAL

05 14

J. SCOTT AITKIN, M.D.

Consultation: 10-12 A.M.
Hours: 6½-7½ P.M.
Thursdays Excepted.
Sundays: 3 to 4 P.M. only.

359 WEST 30th STREET,

New York,

Nov. 21st 1892

To Asst. District Atty. Hartman
Dear Sir:

I am requested
by Mr. Rich. Butler, father
of Stephen A. Butler, who
is now a prisoner in
the Tombs under the
charge of forgery to make
out a statement regarding
his son's mental condition.
Stephen A. Butler has been
a patient of mine for
several years, but up to
last Spring never showed

POOR QUALITY
ORIGINAL

05 15

(21)

J. SCOTT AITKIN, M.D.

359 WEST 30th STREET,

Consultation 10-12 A.M.
Hours: 10 1/2-7 1/2 P.M.
Thursdays Excepted.
Sundays: 8 to 4 P.M. only.

New York, 18

any peculiarity or eccentricity. About the middle of March he began to avoid his companions & exhibited symptoms of Melancholia. I attributed his condition to excessive cigarette smoking, coffee drinking, late hours & masturbation. After two months illness, he recovered & remained well, until he resumed his old habits about six weeks ago, when his mind again became affected. This time however, his peculiar

POOR QUALITY
ORIGINAL

05 16

31

359 WEST 30th STREET,

J. SCOTT AITKIN, M.D.

Consultation: 10-12 A.M.
Hours: 6 1/2 - 7 1/2 P.M.
Thursdays Excepted.
Sundays: 3 to 4 P.M. only.

New York, 18

hallucination has been a
desire for money & display
& to appear as a man
of wealth -

In my opinion, the boy
is not responsible for his
actions, as he is without
doubt insane -

Subscribed & sworn
to before me this 8th day of
November 1890

Daniel Lloyd

Notary Public
N.Y.C.

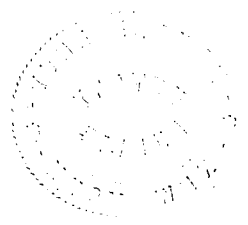
Truly Yours

J. Scott Aitkin

POOR QUALITY
ORIGINAL

05 17

People
vs.
Bulles
~~~~~  
Affidavit of  
Justice A. K. M. D.





POOR QUALITY  
ORIGINAL

05 18

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Stephen A. Butler*

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

*Stephen A. Butler*  
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said

*Stephen A. Butler*

late of the City of New York, in the County of New York aforesaid, on the  
*twenty-ninth* day of *October* in the year of our Lord  
one thousand eight hundred and *ninety*, with force and arms, at the City and  
County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly  
act and assist in the forging a certain instrument and writing, *to wit: an*  
*order for the payment of money*  
*of the kind called bank cheques*  
which said forged *bank cheque*  
is as follows, that is to say:

*New York, Oct 29 1890*

*The Bank of New Amsterdam*  
*Pay to the order of my Son*  
*300.00* *Dollars*

*\$ 300.00*

*Mr. Acker Merrill*  
*#Condit*

with intent to defraud, 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.

POOR QUALITY  
ORIGINAL

05 19

SECOND COUNT—

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

*Stephen A. Butter*  
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said

*Stephen A. Butter*  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, *to wit:*  
*an order for the payment of money,*  
*of the kind called bank cheques*  
which said forged *bank cheque*  
is as follows, that is to say:

*To.* *New York, Oct 29 1890*  
*The Bank of New Amsterdam,*  
*Pay to the Order of of my Self*  
*300. 00* *Dollars*  
*\$300. 00* *Mr. Acker Merrill*  
*Cashier*

with intent to defraud, *he*

*Butter*  
the said *Stephen A.*  
then and there well knowing the same to be  
forged, against the form of the Statute in such case made and provided, and against the peace  
of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0520

**BOX:**

416

**FOLDER:**

3845

**DESCRIPTION:**

Byrne, Patrick

**DATE:**

11/07/90



3845

POOR QUALITY  
ORIGINAL

0521

Counsel,

Filed

Pleads,

day of 1890

THE PEOPLE

vs.

Forgery in the Second Degree.  
(Sections 511 and 521, Penal Code.)

Patrick Byrne

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. J. Ferguson  
Foreman.

Wm. J. Ferguson  
Pleaded Not Guilty

2700 12/10/90  
2700 12/14/90

Witnesses;

Police Court- 2 District.

Affidavit-Larceny.

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

of No. 367 Third Avenue Street, aged 36 years,  
occupation Tailor being duly sworn

deposes and says, that on the 18 day of October 1888 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the night time, the following property, viz:

Gold and  
silver money of the United  
States to the amount and value  
of thirty two dollars \$ 32

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 Patrick Byrne (now here)  
under the following circumstances:  
The defendant came to deponent's  
store at 367 Third Avenue on  
said date and purchased some  
clothing of deponent, and got  
deponent to cash for him a certain  
check recently annexed, purporting  
to be drawn by Charles W. Ferris,  
(now here) on the Fourteenth St. Bank  
for thirty two dollars, to the order  
of the defendant, and defendant  
then and there told deponent  
that he, defendant, had obtained  
the said check as wages from

Sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_ 1888

Police Justice.

He said Charles W. Ferris, and  
deponent has attempted to get the  
cash for said check at the said  
Fourteenth Street Bank and deponent  
has ascertained that the said check  
is of no value and was not of  
any value at the time the defendant  
gave it to deponent, and deponent  
is informed by the said Charles  
W. Ferris that he never signed the  
said check, and had no account  
in the said Fourteenth Street Bank  
on said date when the said check  
was presented to deponent by  
defendant. Deponent therefore  
charges defendant with the larceny  
of said thirty two dollars by means  
of said worthless check, and  
asks that defendant be dealt  
with as the law directs.

Jacob Kantoransky

Sworn to before me this 20 day  
October 1890

Samuel C. Reilly  
Police Justice

**POOR QUALITY  
ORIGINAL**

0524

No 10  
Bowers

POOR QUALITY  
ORIGINAL

0525

CITY AND COUNTY }  
OF NEW YORK, } ss.

Charles W. Ferris

aged 44 years, occupation Brewer of No.

247 10th Av.

Street, being duly sworn deposes and

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

Sworn to before me, this 30  
day of October 1880

C. W. Ferris

D. J. Campbell  
Police Justice.



POOR QUALITY  
ORIGINAL

0526

Sec. 198—200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

2 District Police Court.

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

Question. What is your name?

Answer.

Patrick Byrne

Question. How old are you?

Answer.

48 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

211 E. 26th St - 2 years

Question. What is your business or profession?

Answer.

Labourer

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 gave back the overcoat  
and ten dollars.

Patrick Byrne

Taken before me this  
day of July 1889

30

Police Justice.

0527

POOR QUALITY  
ORIGINAL

*E. S. May*  
*My or line*  
*S. C. Smith*  
*Patience Byrne*  
*3 m cut off*  
*Mr. Denny's house*  
BAILED  
*St. City and City*  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

Police Court--- *2* / *1651*  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Jack H. Stanton*  
*364 - 3rd Ave.*

*Patrick Byrne*

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence \_\_\_\_\_

Dated *Oct 30* 188*0*

*C. C. Reilly*  
Magistrate.

*Quay & Knickerbocker*  
C. C. Precinct.

Witnesses

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

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

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

\$ *1000* to answer



NO ADMITTANCE  
*Yong N*  
*and*

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 Byrne*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *1000* Hundred Dollars, \_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *Oct 30* 188*0* *Le. J. C. Reilly* Police Justice.

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

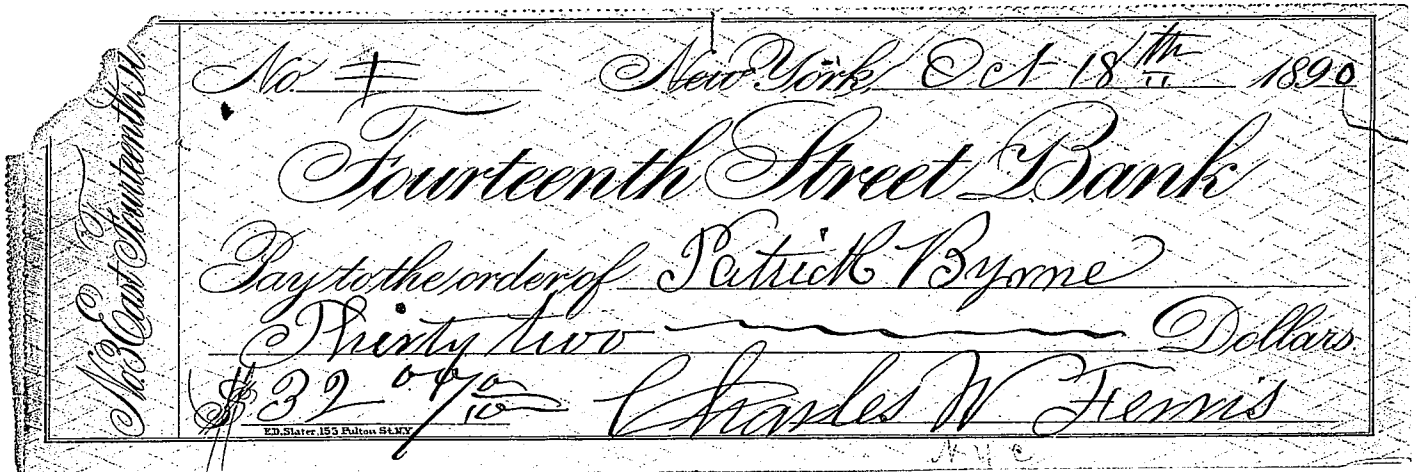
Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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.

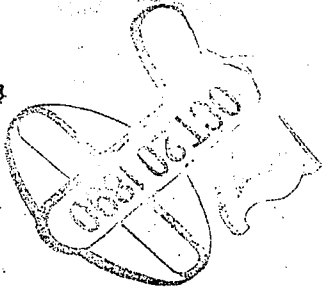
POOR QUALITY  
ORIGINAL

0528



POOR QUALITY  
ORIGINAL

0529



Patrick Byrne  
Jacob Tutoransky  
367 - 3rd Ave

0530

## Page

**SS :**

in the year of our Lord one thousand eight hundred and ninety..... at the request of **THE BOWERY BANK OF NEW YORK**, I, S. H. MACDOWELL, a Notary Public in and for the State of New York, duly admitted and sworn, did present the Original Promissory Note Chick hereunto annexed.

*in the City of New York.*

and demanded payment which was refused.

Whereupon, I, the said Notary Public, at the request aforesaid did Protest, and by these presents do publicly and solemnly Protest as well against the Drawer and Endorsers of the said Note which as against all others whom it doth or may concern, or exchange, re-exchange and all costs damages and interest already incurred and to be hereafter incurred for want of payment of the same.

Thus done and Protested, in the City of New York aforesaid, in the presence of John Doe and Richard Roe, witnesses.

*IN TESTIMONIUM VERTATIS.*

§§=

I, S. H. MACDOWELL, a Notary Public, duly admitted and sworn, in and for the State of New York, do hereby certify, that on the 21 day of Oct 1890 Notice of the Protest of the before mentioned note check was by me served personally upon \_\_\_\_\_

|                                          |               |
|------------------------------------------|---------------|
| Chas W Harris                            | New York City |
| Patrick Byrne                            | " " "         |
| Jaeco Guftumsky 367 - 3 <sup>d</sup> ave | " " "         |
|                                          | " " "         |
|                                          | " " "         |

same in the United States Post Office, postage prepaid. *h.c.* by depositing the

by depositing the  
 prepaid. *S. H. Macdowell*  
*S. H. Macdowell,*  
 Notary Public,  
 THE BOWERY BANK.

POOR QUALITY  
ORIGINAL

0531

*Note Given \$ 32.*  
*Protest and Notices 12-5*

*\$ 33.25*

*Chas W Harris*

FOR

*Jacob Guttmansky*

*New York. Am 21 1890*

*S. H. Macdonnell,*

*Notary Public,*

*THE BOWERY BANK.*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Patrick Byrne*

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

*Patrick Byrne*  
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said *Patrick Byrne*,

late of the City of New York, in the County of New York aforesaid, on the  
*eighteenth* day of *October* in the year of our Lord  
one thousand eight hundred and *ninety*, with force and arms, at the City and  
County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly  
act and assist in the forging a certain instrument and writing, *to wit: an*  
*order for the payment of money*  
*of the kind called bank cheques*  
which said forged *bank cheque*  
is as follows, that is to say:

*New York, Oct 18<sup>th</sup> 1890*  
*Fourteenth Street Bank*  
*Pay to the order of Patrick Byrne*  
*Thirty two* ————— *Dollars*  
*\$32 00/100*  
*Charles W. Ferris*

with intent to defraud, 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

*Patrick Byrne*  
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said

*Patrick Byrne*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, *to wit:*  
*an order for the payment of money*  
*of the kind called bank cheques,*  
which said forged *bank cheque,*  
is as follows, that is to say:

*New York, Oct. 18<sup>th</sup> 1890*  
*Fourteenth Street Bank*  
*Pay to the order of Patrick Byrne*  
*Thirty two ————— Dollars*  
*\$32.00/100* *Charles W. Harris*

with intent to defraud

*he*

the said

*Patrick Byrne*

then and there well knowing the same to be  
forged, against the form of the Statute in such case made and provided, and against the peace  
of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.