

0000

**BOX:**

369

**FOLDER:**

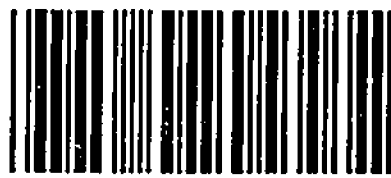
3458

**DESCRIPTION:**

Jackson, James A.

**DATE:**

10/31/89



3458

0009

Witnesses ;

Amos J. Blecker

Counsel,  
Filed Oct 31 day of Oct 1889  
Pleads,

THE PEOPLE  
vs. R  
James A. Jackson  
(2 cases)  
[Sections 528, 532 Penal Code]  
PETIT LARCENY.

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

M. L. Cole Foreman.

00 10

Police Court- 2 District.

Affidavit-Larceny.

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

of No. 288 Grant Street, aged 32 years,  
occupation *dry goods* being duly sworn

deposes and says, that on the 17 day of October 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the *night* time, the following property, viz:

*good and lawful currency of the  
issue of the United States in  
all of the value of fifteen dollars*

the property of *deponent*

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

*Now here I inform the fact that  
deponent had paid money in  
the money drawer behind the  
Bar at the aforesaid premises  
deponent left said defendant  
in charge of deponent's store  
and deponent was absent for  
about 15 minutes when deponent  
returned said defendant was  
gone and said money stolen  
and carried away*

*Amos J. Bleeker*

Sworn to before me, this 18 day  
of October 1889  
at New York  
Police Justice.

0011

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*James A Jackson*

Question. How old are you?

Answer.

*26 years*

Question. Where were you born?

Answer.

*Richmond Va*

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

Answer.

*288 Front Street 4 months*

Question. What is your business or profession?

Answer.

*Bookkeeper*

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

Answer.

*I am guilty*

*James A Jackson*

Taken before me this

day of

*October*  
188

*Henry Gleason*  
Police Justice.



0012

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

*Alfred Smith*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Seven* 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 18* 188 *9* *John J. Hoffman* 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.

0013

#2872

Police Court---

1586 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Anna J. Meeker*

288 vs. *James R. Jackson*

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

Office *L. J. Meeker*

Dated *Oct 18* 188*9*

*James R. Jackson* Magistrate.

*James R. Jackson* Officer.

*James R. Jackson* Precinct.

Witnesses \_\_\_\_\_

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

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

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

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

\$ *700* to answer *G. S.*

*Cam*

BAILED,

No. 1, by \_\_\_\_\_

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

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

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

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

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

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

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

00 14

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*James A. Jackson*

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

of the CRIME OF PETIT LARCENY committed as follows :

The said

*James A. Jackson*

late of the City of New York, in the County of New York aforesaid, on the *seventeenth*  
day of *October* in the year of our Lord one thousand eight hundred and  
eighty-~~nine~~, at the City and County aforesaid, with force and arms,

*the sum of nineteen dollars  
in money, lawful money of  
the United States and of the  
value of nineteen dollars*

of the goods, chattels and personal property of one

*Amos J. Sleecker*

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

*John R. Fellows,  
District Attorney.*

00 15

Witnesses :

Amos J. Blacker

Counsel,

Filed

day of

188

Pleads,

Oct 9

THE PEOPLE

vs.

R

James A. Jackson  
(2 cases)

PETIT LARCENY.

[Sections 528, 532 Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

M. L. Cole Foreman.

0016

**BOX:**

369

**FOLDER:**

3458

**DESCRIPTION:**

Jackson, James A.

**DATE:**

10/31/89



3458



Witnesses:

Off. Lyons

8<sup>th</sup> Prec

Anderson a Sen

in S.P.

PP

Counsel,

Filed 31

day of

1889

Pleads,

THE PEOPLE

vs.

James A. Jackson

(2 cases)

CONCEALED WEAPON.

(Section 410, Penal Code).

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. D. Cole Foreman.

Nov 4/89

Clerk of Court  
J. M. W. 12

0017

0018

Police Court, 2 District.

City and County } ss.  
of New York,

of the 8<sup>th</sup> Precinct, Police Street, aged 30 years,  
occupation Police officer being duly sworn, deposes and says,  
that on the 17 day of October 1889, at the City of New  
York, in the County of New York, defendant arrested

James A. Jackson (nowhere)  
for having committed a battery  
when defendant found concealed  
upon his person that certain  
weapon (here shown) and called  
a loaded billy. Defendant charges  
that said defendant did have  
said unlawful weapon concealed  
upon his person with the intent  
to use the same to use the same  
in violation of Section 410 of  
the Penal Code of the State of New York.

Subscribed before me this 18<sup>th</sup> day of October 1889, Thomas Lyons  
John J. Corcoran  
Deputy

0019

Sec. 103-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

2 District Police Court.

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

Question. What is your name?

Answer.

James A. Jackson

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

Richmond Va.

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

Answer.

288 Front Street 4 months

Question. What is your business or profession?

Answer.

Bar tender

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 put this weapon in my pocket  
to defend my self. with  
James A. Jackson

Taken before me this

day of

October

188

John A. Jackson  
District Police Justice.

0020

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 Superman

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty 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 18 1889 John J. Hendon 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.

0021

274

Police Court--- 2 1586 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Harmon Lyons*

vs.

*James A. Jackson*

2

3

4

*Offence Carry Arms*  
*Magistrate*

BAILED,

No. 1, by \_\_\_\_\_

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

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

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

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

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

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

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

Dated *Oct 18* 188*9*

*Harmon Lyons* Magistrate.

*Lyons* Officer.

*8th* Precinct.

Witnesses *Harmon Lyons*

*with weapons* Street.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



0022

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*James A. Jackson*

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

of a FELONY, committed as follows:

The said

*James A. Jackson*  
late of the City of New York, in the County of New York aforesaid, on the *seventeenth*  
day of *October* in the year of our Lord one thousand eight hundred and  
eighty-~~nine~~ at the City and County aforesaid, with force and arms, feloniously did  
furtively carry, concealed on his person, a certain instrument and weapon of the kind  
commonly known as *a billy*  
with intent then and there feloniously to use the same against some person or persons to the  
Grand Jury aforesaid unknown, against the form of the statute in such case made and provided,  
and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*James A. Jackson*  
of a FELONY committed as follows:

The said

*James A. Jackson* 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, feloniously did possess a certain instrument  
and weapon of the kind commonly known as *a billy*  
by him then and there concealed, and furtively carried on his person,  
with intent then and there feloniously to use the same against some person or persons to  
the Grand Jury aforesaid unknown, against the form of the statute in such case made and  
provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,  
District Attorney.

0023

**BOX:**

369

**FOLDER:**

3458

**DESCRIPTION:**

Jennings, John E.

**DATE:**

10/23/89



3458

0024

**BOX:**

369

**FOLDER:**

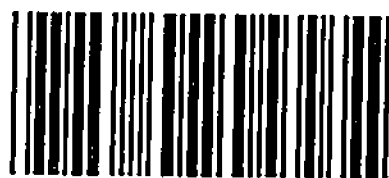
3458

**DESCRIPTION:**

Culty, Michael

**DATE:**

10/23/89



3458

Witnesses:

Jacob Lill

Fred Schalowsky

Sub No 1

After consultation with the  
Court and a careful exami-  
nation of the evidence, I do  
not think a conviction can  
be had. The evidence is the  
same as in the case of  
the No 2 except that No 2  
had a very bad character  
and No 1 has a good  
character.

Sub 3 Nov. 21/89

W. J. Johnson

Def. Secy

# 176 J. J. M. M. M.

Counsel,  
Filed 23 day of Oct. 1889  
Pleads, Not Guilty

THE PEOPLE

vs.

vs.

John E. Jennings

Michael C. C. C.

H. D.

JOHN R. FELLOWS,

District Attorney.

Nov. 11/89

Book

P. 2. Nov. 14/89.

Nov. 14/89. No 2 tried & acquitted

A TRUE BILL

Port III November 21/89

No 1. Tried and acquitted

M. L. Cook

Foreman.

Nov 12/89

00225

0026

**BOX:**

369

**FOLDER:**

3458

**DESCRIPTION:**

Jennings, John E.

**DATE:**

10/23/89



3458



0027

**BOX:**

369

**FOLDER:**

3458

**DESCRIPTION:**

Culty, Michael

**DATE:**

10/23/89



3458

Witnesses:

Jacob Till

Fred Schalosky

Sub No 1

After consultation with the  
Court and a careful exami-  
nation of the evidence, I do  
not think a conviction can  
be had. The evidence in the  
case as in the case of  
the No 2 except that No 2  
had a very bad character  
and yet has a good  
character.

Sub 3 Nov. 21/89

W. J. Schalosky

Def. Schalosky

# 176

J. J. M. M. M.

Counsel,

Filed

day of

1889

Pleas,

Not guilty

THE PEOPLE

vs.

John E. Jennings

Michael C. C. C.

H. D.

JOHN R. FELLOWS,

District Attorney.

Nov. 11/89

Book

Page 14/89

No 2 tried & acquitted

A True Bill

Part III November 21/89

No 1. tried and acquitted

M. L. Schalosky

Foreman.

Nov 13/89

0028

0029

INFORMATION CUT  
OFF AT BOTTOM  
EDGE

0030

Police Court— District.

City and County { ss.:  
of New York,

of No. 25 Washington  
occupation Ironmith

Jacob Till

Street, aged 35 years,

being duly sworn

deposes and says, that the premises No. 25 Washington Street, 1st Ward  
in the City and County aforesaid the said being a Dwelling House

and which was occupied by deponent as a Dwelling House  
and in which there was at the time a human being, by name Joseph ~~Schulsky~~ Sredynsky  
Frederick Schalowsky deponent and several others  
were BURGLARIOUSLY entered by means of forcibly opening a door  
leading from the hallway into the back of  
the first floor of said premises with a force

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

one cloth overcoat, and one cloth jacket  
of the value of Eight dollars the property of  
deponent, one coat of the value of thirty  
dollars of the property of Herman Till  
one silver watch with chain attached  
of the value of twenty dollars the property  
of Joseph Sredynsky, one cloth coat  
of the value of three dollars, and one razor  
of the value of one dollar the property of Frederick  
Schalowsky in the care and charge 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

James E. Jennings. and Michael Cully

for the reasons following, to wit: That deponent is informed by  
Frederick Schalowsky that he saw said defendants  
in said premises and said Jennings threatened  
to cut said Schalowsky with a knife if he  
gave any alarm and he saw said Cully  
take his watch from his vest pocket and  
walk out of said premises, and said Jennings  
at said time ran out with wearing apparel  
on his back

Sworn to  
26 day of  
September 1889  
before me this  
J. J. Mahoney  
Justice

0031

CITY AND COUNTY { ss.  
OF NEW YORK, }

aged 28 years, occupation Farmer of No. 25 Washington Street, being duly sworn deposes and

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

Sworn to before me, this 26 day of Sept 1884 } Fredrick Schalosky  
mark

A. J. McMahon  
Police Justice.



0032

CITY AND COUNTY { ss.  
OF NEW YORK,

aged 37 years, occupation Joseph Bredynski Painter of No.

25 Washngl. Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Jacob Zell

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

Sworn to before me, this 26 day of Sept 1887 } Josef Bredynski

AT Mahon Police Justice.

0033

Sec. 200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

*James E. Jennings* 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 at the trial.

Question. What is your name?

Answer.

*James E. Jennings*

Question. How old are you?

Answer.

*21 years*

Question. Where were you born?

Answer.

*U. S.*

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

Answer.

*26 Washington St 9 years*

Question. What is your business or profession?

Answer.

*Owner*

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

Answer.

*I am not guilty of the charge*

*John E. Jennings*

Taken before me this

day of *Sept* 188*9*

*John E. Jennings*

Police Justice.

0034

Sec. 108-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Michael Cutty* 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.

*Michael Cutty*

Question. How old are you?

Answer.

*18 years*

Question. Where were you born?

Answer.

*N. Y.*

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

Answer.

*34 Greenwich St 1 year*

Question. What is your business or profession?

Answer.

*Baker*

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*  
*Michael X Cutty*  
*marks*

Taken before me this

day of

1889

*H. J. MacArthur* Police Justice.

0035

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

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

Dated Sept 26 1887 W J M Graham 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.



0036

Police Court--- 1st District. 1479

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Jacob Till  
25 vs. Washington

John E. Jancovich

Michael Cutty

3

4

Offence Burglary

Dated Sept 26 1889

McC Mahon Magistrate.

John J. Curran Officer.

6th Precinct.

Witnesses: Frederick Schalochky

No. 25 Washington St. H.D.

Joseph Serdynski

No. 25 Washington Street.

No. Street.

\$ 1000 to answer

Committed

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Witnesses, Frederick Schalochky and Joseph Serdynski in House of Detention in default of \$100. Our clerk to take up



0037

FIRST DISTRICT POLICE COURT.

CITY AND COUNTY } ss.  
OF NEW YORK.

Recognizance to Testify.

BE IT REMEMBERED, That on the

25 day of September in the year of our Lord 1889

of No. 25 Washington Street, in the City of New York,  
and Carl Roffman

of No. 148 Forsyth Street, in the said City,  
personally came before the undersigned, one of the Police Justices in and for the City of New York, and ac-

knowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say; the said

Joseph Seredynsky  
the sum of One Hundred Dollars;  
and the said Carl Roffman

the sum of One Hundred Dollars,  
seperately, of good and lawful money of the State of New York, to be levied and made of their respective  
goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition  
following, viz:

The Condition of this Recognizance is such, That if the person, first above recognized, shall  
personally appear, at the next COURT OF General SESSIONS of the Peace, to be holden in and  
for the City and County of New York, and then and there Testify and give such evidence, in behalf of the  
people of the State of New York, as he may know, concerning an OFFENCE or MISDEMEANOR, said to  
have been lately committed in the City of New York aforesaid by

James E. Jennings & Ass.  
And do not Depart thence, without leave of the Court, then this Recognizance to be void, otherwise to remain in  
full force and virtue.

Taken and acknowledged before me, the }  
day and year first above written.

Police Justice.

Joseph Seredynsky  
Carl Roffman  
Joseph Seredynsky

0038

CITY AND COUNTY } ss. *Carl Roffmann*  
OF NEW YORK, }  
the within-named Bail, being duly sworn, says, that he is a *Two free* holder in  
said City, and is worth *Hundred Dollars,*  
over and above the amount of all his debts and liabilities: and that his property consists of  
*the house and lot of land ~~valued~~*  
*known as 148 Forsyth Street*  
*valued 10000 free and clear*  
*Carl Roffmann*

*Sworn before me, this 28th day of September 1898*  
*J. J. H. H. H.*  
Police Justice.

New York Sessions.  
THE PEOPLE, &c.,  
vs.  
RECOGNIZANCE TO TESTIFY  
Police Justice.  
Filed day of 18

W. H. McQuinn  
Police Justice.





0041

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John E. Jennings and  
Michael Cully*

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

*John E. Jennings and Michael Cully*

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

The said *John E. Jennings and Michael  
Cully, both*

late of the *First* Ward of the City of New York, in the County of New York  
aforesaid, on the *twenty fifth* day of *September*, in the year  
of our Lord one thousand eight hundred and eighty-*nine*, with force and arms, about the  
hour of *twelve* o'clock in the *night* time of the same day, at the Ward,  
City and County aforesaid, the dwelling house of one *Jacob Till*,

there situate, feloniously and burglariously did break into and enter, there being then and there  
some human being, to wit: *the said Jacob Till, and others,*

within the said dwelling house, with intent to commit some crime therein, to wit: the goods  
chattels and personal property of the said *Jacob Till*,

in the said dwelling house then and there being, then and there feloniously and burglariously to  
steal, take and carry away; *the said John E. Jennings and  
Michael Cully and each of them, being then  
and there assisted by a confederate actually  
present, to wit: each by the other, and also being  
then and there armed with a dangerous weapon,  
to wit: with a certain knife.*

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,



0042

SECOND COUNT—

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

*John E. Jennings and Michael Cully*  
of the CRIME OF *Grand LARCENY* in the first degree, committed as follows:

The said *John E. Jennings and Michael Cully, each* \_\_\_\_\_

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

*one overcoat of the value of five dollars, ~~of~~*  
*and one jacket of the value of three dollars,*  
*of the goods, chattels and personal property*  
*of one Jacob Tice, one coat of the value of*  
*thirty dollars, of the goods, chattels and personal*  
*property of one Herman Tice, one watch of the*  
*value of fifteen dollars and one chain of the*  
*value of five dollars, of the goods, chattels*  
*and personal property of one Joseph Suedynski,*  
*and one coat of the value of three dollars,*  
*and one razor of the value of one dollar,*

of the goods, chattels and personal property of one *Fredrick Schalorsky,*

in the dwelling house of the said *Jacob Tice.* \_\_\_\_\_

there situate, then and there being found, 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 R. Fellows,*  
*~~District Attorney~~*

0043

BOX:

369

FOLDER:

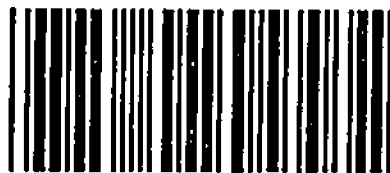
3458

DESCRIPTION:

Johnston, Frank

DATE:

10/31/89



3458

Witnesses:

Matthew Byrnes

Thos S. Kern

Paul Reduces

by consent of

to \$4000.

for 6. 1899

There being the purchase of  
several the attendance of  
one arrested within for the  
People for several months  
is given and upon the affidavits  
therein submitted I respectfully  
suggest a recommendation that  
be discharged, or defect  
released upon the personal  
recognizance of the persons.  
D. S. Kern

257

Geo. D. Clench

Counsel, 21 day of

Filed, 31

Pleads, 1889

1889

THE PEOPLE,

vs.

Frank Johnston

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

John R. Fellows

District Attorney.

A True Bill.

Part III February 3/90 Bill discharged  
Defendant discharged for his  
own recognizance.

Foreman.

Jan 9/90

1889

0044

0045

## Police Court, South District.

City and County of New York, ss.

Matthew Byrne

of No. 59 Paul Avenue

Street, aged Eighty years,

occupation Builder (retired)

being duly sworn, deposes and says,

that on the 22 day of June

1889, at the City of New

York, in the County of New York,

Frank Johnston being

in the employ of this deponent did falsely and unlawfully and corruptly and with intent to injure and defraud this deponent did alter the deponent's Book kept by deponent with the Mechanics and Trades Bank of the City of New York by changing the figures of a deposit made and entered in said Deposit Book by a teller or clerk of said Mechanics and Trades Bank from one hundred and thirty five dollars to one hundred and thirty five dollars and by false entry in the Check Book of deponent show a deposit on the same date of a deposit in said Mechanics and Trades Bank of one hundred and thirty five dollars when the actual deposit on said date by deponent on the said Bank was one hundred and thirty five dollars.

That on the 31<sup>st</sup> day of July 1889 the said Frank Johnston being in the employment of this deponent did falsely and unlawfully and corruptly and with intent to injure and defraud this deponent did alter the Deposit Book kept by deponent with the Mechanics and Trades Bank of the City of New York by changing & altering the figures of the deposit made and entered in said Deposit Book by a teller or clerk of said Mechanics and Trades Bank from one hundred & thirteen



0046

Dollars to Sam hundred & thirteen dollars,  
and by false entry in the Check Book  
of Oppenheimer shows a deposit of Two hun-  
-dred & thirteen <sup>00</sup>/<sub>100</sub> dollars, when the actual  
deposit on said date of deposit with  
said Mechanics & Traders Bank was  
one hundred and thirteen <sup>00</sup>/<sub>100</sub> dollars.

Sworn to before me  
this 15<sup>th</sup> day of Oct 1889. Mat<sup>r</sup> Symmes  
N. T. McMahon  
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 1889 Police Justice.  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1889 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 1889 Police Justice.

Police Court-- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

1  
2  
3  
4

Offence,

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street.

\$ to answer Sessions



0047

CITY AND COUNTY }  
OF NEW YORK, } ss.

Robert C. Smith

aged 39 years, occupation Bank Teller of No. 133

McCarthy and Rogers Bank  
133 Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Matthew Byrne

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

Sworn to before me, this 15

day of Oct 1837

Robert C. Smith

Wm. M. Mason  
Police Justice.

0048

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name.

Answer. *Frank Johnston*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *No 110 West 122<sup>nd</sup> St 2 years*

Question. What is your business or profession?

Answer. *Idler*

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  
at present*

*Frank Johnston*

Taken before me this

day of

*Dec 1*

188

*W. M. Jackson*

Police Justice.

0049

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 Fifty 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 15 188 W. W. Mahon Police Justice.

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

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

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

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

0050

# 257  
Police Court

1581  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Matthew P. Ryan  
59 Park ave

1. Hans Johnston

2.

3.

4.

Offence  
Gangway

BAILED.

No. 1, by Martha Johnston

Residence 115 West 122<sup>nd</sup> Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Oct 13 1889

McMahon Magistrate

Slawson Officer.

60 Precinct.

Witnesses Thos J. Kern

No. 37 1<sup>st</sup> Avenue Street.

Robert Smith

No. 114 1<sup>st</sup> Avenue Street.

Brooklyn

No. Street.

\$ 5000 to answer

5000 bond of Oct 13 2 P.M.

OCT 13 1889

RECEIVED



COURT OF GENERAL SESSIONS

in and for the City and County of New York

The P E O P L E &c.,  
agt  
FRANK W. JOHNSTON

City and County of New York, ss:-

Joseph Byrnes being duly sworn says that he is the son of Matthew Byrnes upon whose complaint the indictment was presented in this action.

That the said Matthew Byrnes is incapacitated from making any affidavit or statement in writing with reference to and in connection with this application having recently suffered a stroke of paralysis from which he has not as yet fully rallied and may not recover.

That this deponent is the agent of said Matthew Byrnes and is fully acquainted with all the facts out of which said complaint arose with the making thereof and the subsequent restitution made by the said defendant and as such agent had exclusive charge of the prosecution of said defendant and received the restitution made by said defendant on behalf of said Matthew Byrnes.

That said defendant has made full restitution of the proceeds and fruits of his offense to the said Matthew Byrne



0052

through this deponent as aforesaid and said Matthew Byrnes has received from said defendant full payment of all sums and sums of money of which he was deprived or which was received by said defendant as the result of any offense charged herein.

And this deponent on behalf of said Matthew Byrnes begs leave to say. That owing to the previous good character maintained by the said defendant and largely so whilst the said defendant was in the employ of the said Matthew Byrnes the highly reputable character of his connection and family- and the fact that said defendant had no intention to retain the moneys taken by him: the said Matthew Byrnes through this deponent desires to desist and withdraw from the further prosecution of the charges embraced in this action and that such desire on the part of said Matthew Byrnes is not in any way the result of such restitution so made by said defendant but is wholly independent thereof.

That said Matthew Byrnes as also this deponent verily believes that said defendant was surrounded with evil influences at the time which operated largely in leading him to commit the offense complained of: That said defendant is deeply grieved at his conduct and the reproach he has brought upon his family: and is resolved as your ~~affiant~~ <sup>lead to</sup> ~~affiant~~ and said Matthew Byrnes verily believe to redeem himself and recover his position &c. That under the circumstances the pressing of the complaint herein would attain no public good, and ~~lead to~~ <sup>lead to</sup> ~~lead to~~ evil so far as said defendant is concerned; and deeply grieve and humiliate his family without adequate benefit to the people or the defendant.

0053

And this deponent for said Matthew Byrnes requests  
that this action be no further pressed at present if at all  
verily believing and relying upon the defendants resolution  
to make his future square with his former good repute.

Sworn to before me this  
9<sup>th</sup> day of January, 1890.

*James D. Gallen*  
Notary Public

*my Co. n. v.*

*Jose D. Byrnes*  
*+ 1890*

COURT OF GENERAL SESSIONS

For the City and County of New York.

The PEOPLE &c.,  
art  
FRANK W. JOHNSTON.

CITY AND COUNTY OF NEW YORK, ss:-

being duly sworn says that he has been intimately acquainted with the family of and with Frank W. Johnston the defendant in this action for a long period of time.

That the family of said defendant is one of excellent repute and standing in the City of New York where they have resided for a great many years.

That the character of said defendant has been of the best; and his reputation for truth honesty and sobriety of the highest until the charge herein was preferred against him

This deponents acquaintance with him has covered the period commencing with his childhood, up to the present time.

That defendant has at no time previous hereto been charged with any criminal offence whatever.

And this deponent further says that there are as he is informed and believes extenuating circumstances surround-

0055

ing this case which ~~sh~~ould lead to lenency in the treatment of said defendant, and that the interests of the People will not be injured by a failure to press the trial of the said defendant in this action at this present or at any time.

Sworn to before me this 8<sup>th</sup> "  
day of January, 1890. "

*Nash Loder*  
*Vincent Roseman* 61 Hudson St Cor Jay St.  
*Notary Public*  
*Kings & New York Counties*

0056

COURT OF GENERAL SESSIONS

for the City and County of New York.

The PEOPLE &c.,

agt

FRANK W. JOHNSTON.

CITY AND COUNTY OF NEW YORK, ss:-

*James E. Miller*

being duly sworn says that he has been intimately acquainted with the family of and with Frank W. Johnston the defendant in this action for a long period of time.

That the family of said defendant is one of excellent repute and standing in the City of New York where they have resided for a great many years.

That the character of said defendant has been of the best; and his reputation for truth honesty and sobriety of the highest until the charge herein was preferred against him

This deponents acquaintance with him has covered the period commencing with his childhood up to the present time.

That defendant has at no time previous hereto been charged with any criminal offence whatever.

And this deponent further says that there are as he is informed and believes extenuating circumstances surround-



0057

ing this case which should lead to lenency in the treatment  
of said defendant, and that the interests of the People will  
not be injured by a failure to press the trial of the said  
defendant in this action at this present or at any time.

Sworn to before me this *Eighth*  
day of January, 1890.

*Chas. B. Collins*  
Notary Public  
N. Y. C. (106)

*James E. Miller*  
No. 1 Nassau St.  
New York City

0058

General Division  
in the City of  
New York.

The People

vs

Frank W. Schuchman

Acts of Character &  
Deeds of Honor of Long  
Matthew Brown to  
William Chapman.

0059

District Attorney's Office.

Part 3  
PEOPLE

vs.

Frank Johnston  
July 3<sup>d</sup>

Put on Callender  
vs. Superior

0060

THOS. J. McKEE.

Law Offices, 338 Broome St., cor. Bowery,

Mechanics' & Traders' Bank Building.

New York, *January 7* 18*90*

THE PEOPLE &c

agt

FRANK W. JOHNSTON

TO THE DISTRICT ATTORNEY

of the City and County of New York:-:

SIR:-:-

I the undersigned do certify that I am in attendance upon Matthew Byrnes who is the complainant and one of the witnesses in this action( as I am informed and believe ) as his physician .

And I further certify that I have been a physician in active practice in the City of New York for 14 years past.

That said Matthew Byrnes is now suffering from a recent ~~recovery~~ *recovery*, and in my judgment cannot with safety attend the trial of this action during the present month.

That the recurrence of the malady would prove fatal as I believe, and any unusual exercise or excitement would be like to produce such a result.

I am very respectfully yours:-

*Matthew Byrnes*  
147 Lex Ave

0061

TO THE CHIEF CLERK.

Please send me the Papers in the Case of

PEOPLE

vs.

A<sup>2</sup>

Campbell

Page 2.

Matthew Brown

John Brown

Robert Brown

Of the State.

Campbell, sick.

District Attorney.

~~John Brown~~  
~~Robert Brown~~  
Campbell

Jan 9/90.



0062

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

18

Dr. Mechanics & Tradesmen's Bank, in acc't with  
smaller figures.

July 16	Balance	5991	05
16	to	417	67
20		1253	64
24		412	
<u>1859</u>		7874	39
July 30	Balance	7337	92
31	to	413	

op.

237	12	150
23	25	8
17		50
15		20
139	35	45
		05
Balance	7337	92
9 Vouchers, Ret'd.	7874	39

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.

0064

SECOND COUNT:—

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

Frank Johnston

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

The said Frank Johnston,

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:

a certain accountable receipt,

which said forged accountable receipt,  
is as follows, that is to say:

Dr. Mechanics & Traders Bank, in acct with Matthew Rogers

1889				
July 16	Balance from	5991 05	237 12	1 50
16	H.	417 67	23 25	8
20		1253 67	17	50 20
24		412	15	45 05
			139 35	
			Balance	7337 92
1889		7874 39	a New York, etc	7874 39
July 30	Balance	7337 92		
31	D.	413		

with intent to defraud, the the said Frank Johnston  
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.

0065

**BOX:**

369

**FOLDER:**

3458

**DESCRIPTION:**

Johnston, Harry

**DATE:**

10/31/89



3458

John McDonald Jr.

Counsel, 31  
Filed day of Oct. 1889  
Pleads,

THE PEOPLE

vs.

*R*

*Harry Johnston*

*27*  
*Handwritten*

Burglary in the THIRD DEGREE  
ALL VARIOUS VIOLATIONS  
OF THE LAWS OF THE STATE

JOHN R. FELLOWS,  
*District Attorney.*

# A True Bill.

Mrs. L. Cole Foreman.  
 Oct 21/89  
 Please P. A. L.  
 P. A. L. 2 yrs & 6 mo  
 P. A. L.



0067

Police Court— District.

City and County } ss.:  
of New York,

of No. 178 Chrystie Street, aged 27 years,

occupation Truck Driver being duly sworn

deposes and says, that the premises No. 178 Chrystie Street, 10th Ward

in the City and County aforesaid the said being a Sly Stuy brick

Cement house

and which was occupied by deponent as a dwelling house

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

were BURGLARIOUSLY entered by means of forcibly wrenching the staple, which held the padlock, off of the door, leading from the hallway in the 4<sup>th</sup> floor of said premises into deponent's room (which is room no 12) with a chisel or similar instrument on the 19<sup>th</sup> day of October 1889 in the day time, and the following property feloniously taken, stolen, and carried away, viz:

One Suit of clothes and one pocket handkerchief, together of the value of twenty dollars.

(20.00)

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

Harry Johnson (now here) and another man, not yet arrested.

for the reasons following, to wit:

that at the hour of 4 o'clock P.M. said date deponent's wife locked and securely fastened said door and went out, leaving said property in said room. And when deponent's wife returned at about the hour of six o'clock P.M. same day she discovered that said door had been broken as aforesaid. And said

0068

Property taken stolen and carried away from said room.

Deponent is informed by Louisa

Turner, of no 178 Chrysea Street that at about the hour of 4.30 O'clock P.M. said date. she saw the said defendant and said unknown man not get arrested together and in company with each other in the act of leaving said premises and at that time this defendant had a quantity of clothing in his arms.

Deponent further says that after the defendants arrest. he the defendant admitted and confessed to him in the presence and hearing of Officer

Thomas Nolan, of the 15th Precinct Police that he and another man had entered said room and stolen said property therefrom. Whereupon deponent charges said defendant and said unknown man not get arrested with him together and acting in concert with each other and burglariously entering said premises as aforesaid and feloniously taking stealing and

carrying away said property.

Sworn to before me

this 21<sup>st</sup> day of Oct 1889

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

I have admitted the above named

to bail to answer by the undertaking hereunto annexed.

I have admitted the above named

to bail to answer by the undertaking hereunto annexed.

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 be committed to bail in the sum of

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

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

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

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

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

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

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

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

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

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

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

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

Police Court, District.

THE PEOPLE, &c.,  
on the complaint of

vs.

Offence—BURGLARY.

1  
2  
3  
4

Dated

188

Magistrate.

Officer.

Clerk.

Witness.

No.

Street.

No.

Street.

No.

Street.

\$ to answer General Sessions.

0069

CITY AND COUNTY { ss.  
OF NEW YORK,

Louisa Turner

aged 29 years, occupation Keep house of No.

178 Chrystie Room 4

Street, being duly sworn deposes and

says, that she has heard read the foregoing affidavit of

John McDonald

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

Sworn to before me, this

21

day of

Oct

1889

Louisa Turner  
mark

E. Hogan

Police Justice.



0070

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, }

*Harry Johnson*

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.

*Harry Johnson*

Question. How old are you?

Answer.

*27 years old*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*83 Macdougall St. 1 Month*

Question. What is your business or profession?

Answer.

*Truck Driver*

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

Answer.

*I am not guilty,*

*Harry Johnson*

Taken before me this  
day of

188

Police Justice.

*41*  
*W. H. Hagan*

0071

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

*Alfred W. H.*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Twenty* 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 21* 188 *9 J. E. Hogan* 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.



0072

Police Court---1596 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John W. McDonald  
vs. Chappie  
Harry Johnson  
1  
2  
3  
4

ofence  
Magistrate

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Oct 21 1889

Hogan  
Thomas Dolan  
Magistrate.  
Officer.

15th Precinct.

Witnesses

No. 178 Chrystie Street.

Thomas Dolan

No. 15th Precinct Street.

No. Street.

\$ 2000

OCT 24 1889  
RECEIVED  
to master

Buy 3  
P.R.

0073

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Harry Johnston*

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

*Harry Johnston*

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

The said

*Harry Johnston*

late of the *Tenth* Ward of the City of New York, in the County of New York  
aforesaid, on the *nineteenth* day of *October* in the year of our Lord one  
thousand eight hundred and eighty-*nine*, with force and arms, in the  
*day* - time of the same day, at the Ward, City and County aforesaid, the  
dwelling house of one

*John Mc Donald, the younger*

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

*John Mc Donald, the younger*

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.

0074

SECOND COUNT—

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

of the CRIME OF

*Petty Larceny*

, committed as follows:

The said

*Harry Johnston*

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,

*one coat of the value of ten dollars, one vest of the value of four dollars, one pair of trousers of the value of six dollars, and one handkerchief of the value of twenty-five cents*

of the goods, chattels, and personal property of one

in the dwelling house of the said

*John MacDonald, the younger,*  
*John MacDonald, the younger*

there situate, then and there being found, 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.

0075

THIRD COUNT.

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

*Harry Johnston*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows :

The said

*Harry Johnston*  
late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid, one coat of the value of ten dollars, one vest of the value of four dollars, one pair of trousers of the value of six dollars and one handkerchief of the value of twenty five cents

of the goods, chattels and personal property of

*John McDonald, the younger*  
by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said

*John McDonald, the younger*  
unlawfully and unjustly, did feloniously receive and have; (the said

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

JOHN R. FELLOWS,  
District Attorney.

0076

**BOX:**

369

**FOLDER:**

3458

**DESCRIPTION:**

Johnston Herbert M.

**DATE:**

10/16/89



3458



POOR QUALITY  
ORIGINAL

0077

Witnesses:

Patrick Saynor

280-Bradbury

Counsel

Filed

Preads

1889

THE PEOPLE

8/16/89

[Section 528, and 551, Penal Code]

Grant LARSEN, 2

Herbert M. Johnston

JOHN R. FELLOWS

Oct 27/89 District Attorney

Newark, N.J.

A True Bill

Oct. 24, 1889

Pen: Two months

Jm L. Cole, Foreman

0078

Police Court

District

Affidavit—Larceny.

City and County } ss.:  
of New York,

Patrick Jaynor  
of No. 791 Greenwich Street, aged 32 years,  
occupation Wholesale Grocer being duly sworn

deposes and says, that on the 25th day of September 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

Good and lawful money  
of the United States to the  
amount and of the value of  
Sixty-five dollars.

the property of

Deponent

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

(now here). from the fact that on the  
day above mentioned, the said defendant  
gave deponent the instrument in writing  
hereto annexed, which said instrument  
purports to be a check for sixty-five  
dollars on the New York County National  
Bank payable to the order of H. M.  
Johnston. Signed by Robert M. McIntyre  
and dated September 25, 1889 in payment  
of a bill of five dollars which he the  
said defendant owed deponent. Deponent  
believing that said check was good  
accepted it, from the said defendant in  
payment of said bill and gave him

Subscribed to before me, this day of September 1889

Police Justice

0079

the said defendant the sum of sixty dollars in change, which was the difference between the face value of said check, and the amount of the bill which he the defendant used deponent.

Deponent is now informed by Albert J. Ackerman the discount clerk of the New York County National Bank that there is no account in said Bank to the credit of Robert J. McJury, whose name is signed to said check and that there was never any account in said Bank to the credit of said Robert J. McJury, and that said check is worthless.

Wherefore deponent charges the said defendant with feloniously obtaining possession of said sum of money with the intent to defraud by color and use of a false and fraudulent check for the payment of money when he the said defendant well knew that the maker or drawer of said check was not entitled to draw on the drawer for the sum specified therein. and prays he may be held and dealt with according to law.

Sworn to before me  
this 30th day of Sept 1889

J. M. M. P. D.

Patrick J. J. J. J. J.

Power Justice



0080

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Albert G. Ackerman*  
aged *37* years, occupation *Discount Clerk* of No. *9 Bank* Street, being duly sworn deposes and

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

Sworn to before me, this

day of

188

*G. Humphreys*  
Police Justice.

0081

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Herbert M. Johnson* 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.

*Herbert M. Johnson*

Question. How old are you?

Answer.

*33 years old*

Question. Where were you born?

Answer.

*New York city*

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

Answer.

*168 8th Avenue 20 years*

Question. What is your business or profession?

Answer.

*Salesman*

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 waive examination.*

*Herbert M. Johnson*

Taken before me this

day of

188

*John J. [Signature]*

Police Justice.



0082

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

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

Dated *Sept 20* 188 *J. H. Murphy* Police Justice.

I have admitted the above-named.....

to bail to answer by the undertaking hereto annexed.

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

There being no sufficient cause to believe the within named.....

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

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

0083

Police Court---

2/1487 District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

Patrick Gaynor  
791 S. Campbell St.  
Herbert M. Johnson

1.  
2.  
3.  
4.

Offered  
Lancaster (Belmont)

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Sept 20 1889

For Magistrate.

Lagum & Carey Officer.

16 Precinct.

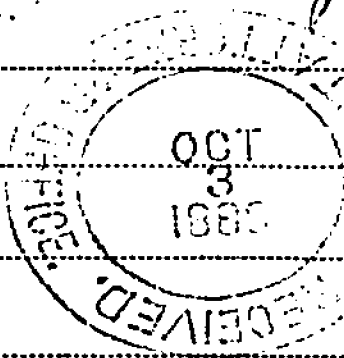
Witnesses Albert J. Ackerman

No. 9 Bank Street.

No. Street.

No. Street.

\$ 500 to answer



0084

No. 287	New York, Sep. 25 1889
New York County National Bank	
Pay to the order of H. M. Johnston	
Sixty Five	Dollars
\$ 65 00	Robt. J. McIntyre

Wells & Fargo, 87 Ave. & 14th St. N.Y.

0085

Produced  
for Deposit  
A. C. H. H. H.



0086

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

THE PEOPLE OF THE STATE OF NEW YORK,  
AGAINST

Herbert M. Johnston

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

Herbert M. Johnston

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

The said Herbert M. Johnston,

late of the City of New York, in the County of New York aforesaid, on the 25th  
day of September, in the year of our Lord one thousand eight hundred and  
eighty-nine, at the City and County aforesaid, with force and arms, with intent to  
deprive and defraud one Patrick Gaynor

of the proper moneys, goods chattels and personal property hereinafter mentioned, and of  
the use and benefit thereof, and to appropriate the same to his own use, did then and  
there feloniously, fraudulently and falsely pretend and represent to the said  
Patrick Gaynor,

That a certain paper writing in the words  
and figures following, to wit:

"No. 287 New York, Sep 25 1889

New York County National Bank

Pay to the order of H. M. Johnston

Sixty Five ————— Dollars

\$ 65 00

Robt. J. Mc Intyre "

which he the said Herbert M. Johnston then  
and there produced and delivered to the said



0007

Patrick Gaynor, was then and there a good and valid order for the payment of money, and of the value of sixty five dollars.

And the said Patrick Gaynor ——— then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said Herbert M. Johnston ———

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said Herbert M. Johnston, the sum of sixty dollars in money, lawful money of the United States of America, and of the value of sixty five dollars.

of the proper moneys, goods, chattels and personal property of the said Patrick Gaynor. ———

And the said Herbert M. Johnston ——— did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and personal property, from the possession of the said Patrick Gaynor, ——— by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said Patrick Gaynor ———

of the same, and of the use and benefit thereof, and to appropriate the same to his own use

Whereas, in truth and in fact, the said paper writing which he the said Herbert M. Johnston so as aforesaid then and there produced and delivered to the said Patrick Gaynor was not then and there

0088

a good and valid order for the payment of money, and was not of the value of sixty five dollars, or of any value whatever, but was wholly void and worthless,

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said Herbert M. Johnston to the said Patrick Gagner was and were

then and there in all respects utterly false and untrue, as he the said Herbert M. Johnston ~~Patrick Gagner~~ at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said Herbert M. Johnston in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods, chattels and personal property of the said Patrick Gagner then and there feloniously did STEAL, against the form of the Statute in such case made and provided, and against the peace and dignity of the said people.

JOHN R. FELLOWS,  
District Attorney.

0089

**BOX:**

369

**FOLDER:**

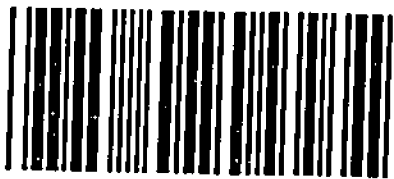
3458

**DESCRIPTION:**

Jones, George

**DATE:**

10/28/89



3458

0090

Witnesses:

Mary Nichols  
Off. John McEnty  
Park Police

241

Counsel, *28 Oct. 188*  
Filed  
Pleads, *Whitely - 24*

THE PEOPLE  
16' 8 W/40 vs. *R*  
George Jones  
Grand Larceny, Second Degree  
(From the Person.)  
[Sections 528, 587 — Penal Code]

JOHN R. FELLOWS,  
District Attorney.

*Not found in file*  
*Pr nos 4/84*  
*Heads PR,*  
*Pen 11/10/85*  
*PRH*  
A True Bill.  
*M. L. Cole,* Foreman.



0091

Police Court—14 District.

Affidavit—Larceny.

City and County } ss.:  
of New York,of No. 414 East 39 Street, aged 39 years,  
occupation Housewife being duly sworndeposes and says, that on the 13 day of October 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
person of deponent, in the day time, the following property viz:

One Pocket book Containing  
gold and lawful money of the  
United States of the amount  
and value of twenty eight  
cents and all together of the  
value of thirty eight cents

the property of

deponent

and that this deponent

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

from the fact that deponent was  
standing in the Monday Avenue in  
Central Park at about 3<sup>30</sup> O'clock  
P.M. of said date. That deponent  
is informed by Officer John G.  
McGinty of the Park Police that  
he saw deponent place his hand  
in her dress pocket then and there  
was by her as a part of her bodily  
clothing and take said property  
therefrom, that he arrested de-  
pendant and found said property  
in his possession which deponent has  
since seen and fully and positively identifies  
as her property. Mary Keohy

Sworn to before me this

of 13 day1889Wm. McAlister Police Justice.



0092

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 25 years, occupation Police Officer of No.

Central Park Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Mary Kehohy

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

Sworn to before me, this

day of Oct 1884

John F. McGinty

William Mahon  
Police Justice.

0093

Sec. 198-200.

H District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

George Jones 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  
Geo Jones

Taken before me this

day of

188

Police Justice.

0094

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

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

Dated Sept 11 1889 A. J. M. Meehan Police Justice.

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

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

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

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

0095

Police Court 1565 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Mary Tebohy  
414 1/2 East 73 St  
George Jones

Offence  
Offence

BAILED,

No. 1, by \_\_\_\_\_

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

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

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

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

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

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

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

Dated Oct 11 188 9

McMahon Magistrate

McIntyre Officer.

Co. Park Precinct.

Witnesses Callahan Office

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

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

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

\$ 10.00 to answer

Callahan  
Person



0096

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 Jones*

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

*George Jones*  
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said

*George Jones*

late of the City of New York, in the County of New York aforesaid, on the *thirteenth*  
day of *October* in the year of our Lord one thousand eight hundred and  
eighty-*nine*, in the *day* - time of the said day, at the City and County  
aforesaid, with force and arms,

*one silver coin of the United States of the kind called quarter dollars, of the value of twenty-five cents, two silver coins of the kind called dimes of the value of ten cents each, two nickel coins of the kind called five cent pieces of the value of five cents each, and eight coins of the kind called cents of the value of one cent each*

of the goods, chattels and personal property of one  
on the person of the said

then and there being found, from the person of the said

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.

*Mary Nebahy*  
*Mary Nebahy*  
*Mary Nebahy*  
*John R. Fellows,*  
*District Attorney.*



0097

**BOX:**

369

**FOLDER:**

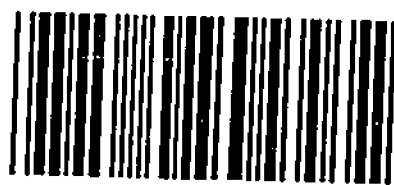
3458

**DESCRIPTION:**

Jones, James

**DATE:**

10/09/89



3458

0098

Witnesses;

Conlin Hall

Off. Thos Burlingame

9<sup>th</sup> Prec

Counsel,

9 day of Oct 1889

Filed

Pleads,

THE PEOPLE

vs.

James Jones

Chas. R. Fellows

JOHN R. FELLOWS,

District Attorney.

Grand Larceny 2nd degree. [Sections 528, 537 - , Penal Code].

A True Bill.

Foreman.

Wm. L. Kelly  
J. L. Kelly  
J. L. Kelly  
J. L. Kelly  
J. L. Kelly

0099

Police Court

District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

Cornelia Hall

of No. 77 Barrow Street, aged 36 years,  
occupation. Keep boarding house being duly sworndeposes and says, that on the 25<sup>th</sup> day of July 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

One double case gold watch, and  
gold watch chain and one suit  
of gent's clothes. Together of the  
value of two hundred and twenty  
five dollars.

(\$225.00)

the property of

John W. Klase. and in  
deponent's care and custody

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by James Jones. (New York)

from the fact that at the hour of 2  
o'clock P.M. said date, the said  
defendant came to deponent's home  
and engaged board. and was shown  
to the front room on the 3<sup>d</sup> floor of said  
premises. And in about two hours thereafter  
the said defendant told deponent that he  
was obliged to go out to get money, and  
if his trunk came in, his absence to receive  
it for him. he then left deponent's  
home; and deponent did not see him  
again until after his arrest which  
occurred on the 27<sup>th</sup> day of September.  
And immediately after he left

0100

Alpment's house on said 25<sup>th</sup> day of July, Alpment discovered that said property was missing from the back room on the same floor, where the room the defendant had occupied was. And some days after Alpment found said suit of clothes concealed between the mattresses of bed in the room where the defendant had been, Alpment further says that there was

No person other than the said defendant and the members of Alpment's household near the room where said property was from the time Alpment saw said property last until Alpment missed it.

Wherefore Alpment charges the said defendant with feloniously taking, stealing and carrying away said property.

Cornelia Hall

Sworn to before me }  
this 28<sup>th</sup> day of Sept 1879

J. H. H. H.

Police Justice



0101

Sec. 103-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

2 District Police Court.

James Jones 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 have nothing to say  
and waive examination  
James Jones.

Taken before me this

day of

1885

John J. [Signature]

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 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 Apr 28 1887 P. H. Murphy 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.*

0103

Police Court---

1469 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Cornelia Hall  
77 Brow St  
James Jones

Offence Larceny  
Blamey

BAILED,

No. 1, by \_\_\_\_\_

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

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

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

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

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

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

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

Dated Sept 28 1889

For Magistrate.

Bruleigh & Valerius

Precinct.

Witnesses

No.

No.

No.

\$

0104

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Jones

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

James Jones

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

The said

James Jones

late of the City of New York, in the County of New York aforesaid, on the twenty fifth day of July in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, with force and arms,

one watch of the value of one hundred and twenty-five dollars, one chain of the value of sixty dollars and one coat of the value of twenty dollars, one vest of the value of eight dollars, and one pair of trousers of the value of twelve dollars

of the goods, chattels and personal property of one

John W. Klase

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

John R. Feltus,  
District Attorney



0105

**BOX:**

369

**FOLDER:**

3458

**DESCRIPTION:**

Jones, James

**DATE:**

10/17/89



3458

0106

**BOX:**

369

**FOLDER:**

3458

**DESCRIPTION:**

Lee, Joseph

**DATE:**

10/17/89



3458

to Day

Witnesses;

John Acker &

Off. Joseph Martin

22-2-1884

Property Received

21.

Counsel,  
Filed 17 day of Oct 1884.  
Pleads, *W. J. Kelly*

THE PEOPLE

vs.

*James Jones  
and  
Joseph Lee*

*Property in the Third degree,  
and Receiving*

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*W. J. Kelly, Foreman.  
J. W. Kelly  
Geo. 1. Beach & Wm. 3 day  
Geo. 2. Beach & Wm. 3 day  
Geo. 2. Beach & Wm. 3 day  
Geo. 2. Beach & Wm. 3 day*

0108

Police Court—4—District.

City and County } ss.:  
of New York,

of No. 239 West 49. John Acker Jr  
occupation. Produce Merchant Street, aged 44 years,  
deposes and says, that the premises No. 235 West 5th Street, 22 Ward  
in the City and County aforesaid the said being a Two story Brick  
Building and which was occupied by deponent as a Stable  
and in which there was at the time ~~by~~ human being, by ~~name~~

were BURGLARIOUSLY entered by means of forcibly wrenching off  
the wire netting in front of a window and then raising  
and opening said window

on the 6 day of October 1889 at the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

Two Blankets of the  
value of Ten <sup>00</sup>/<sub>100</sub> Dollars  
(\$10. <sup>00</sup>/<sub>100</sub>)

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

James Jones and Joseph Lee  
(both now here) white acting in concert with  
each other for the reasons following, to wit: that at about the hour of  
8 P.M. the 5 day of October 1889  
the said wire netting was in front of  
said window and said window was  
securely closed and at about the  
hour of 9 A.M. on the following  
morning deponent went to said  
premises and found said window  
opened and said wire netting wrenched



0109

As aforesaid and dep deponent  
has missed said property and  
deponent is informed by Officer  
Joseph Martin of the 27th Police  
Precinct that he said Officer  
Martin arrested said defendants  
on Broadway and found  
said property on their, said  
defendants possession  
Given to before me  
this 6 day of October 1887 John A. H. for  
N. Y. M. A. H.  
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 1887  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1887  
There being no sufficient cause to believe the within named  
guilty of the offence mentioned, I order he to be discharged.  
Dated 1887  
Police Justice.

Police Court, District, Offence—BURGLARY.

THE PEOPLE, &c.,  
on the complaint of

1. 2. 3. 4.

Dated 1887

Magistrate.

Officer.

Clerk.

Witness.

No. Street.

No. Street.

No. Street.

\$ to answer General Sessions.

0110

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 33 years, occupation Police Officer of No. 110  
22 Police Recruit Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of John Asker Jr.

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

Sworn to before me, this

day of October 1883

Joseph Martin

D. M. M. M. M.  
Police Justice.

0111

Sec. 193-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

District Police Court.

*James Jones* 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

*James Jones*

Taken before me this

day of

1889

Police Justice.

0112

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

*Joseph Lee* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him 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. *Joseph Lee*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *No 208 West 59th Street & about 1 year*

Question. What is your business or profession?

Answer. *Like drive a wagon*

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*  
*Joe. Lee*

Taken before me this

day of *April* 188*8*

*John J. Mahoney*  
Police Justice.



0113

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

committed, and that there is sufficient cause to believe the within named  
James Jones and Joseph Lee  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Ten Hundred Dollars, each and be committed to the Warden and Keeper of  
the City Prison of the City of New York, until he give such bail.

Dated Oct 10 1889 N. J. W. M. M. Police Justice.

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

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

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

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

0114

BAILED,

No. 1, by \_\_\_\_\_

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

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

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

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

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

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

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

Police Court

1503 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Acker Jr.  
239 West 49  
James Jones  
Joseph Lee

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

Dated Oct 6 1889

D. F. McMahon Magistrate

Marlin Officer.

Witnesses \_\_\_\_\_ Precinct.

~~449 West 50~~ No. \_\_\_\_\_ Street.

~~Central Market~~ No. \_\_\_\_\_ Street.

~~Richard Hobbs~~ No. \_\_\_\_\_ Street.

\$ 1000 to answer

*[Signature]*  
Burgess  
Peterson  
Barnes

0115

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*James Jones  
and  
Joseph Lee*

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

*James Jones and Joseph Lee*  
of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

*James Jones and  
Joseph Lee, both*

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

*John Acker, the younger*

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

*John Acker, the younger*  
*stable*

in the said *stable* 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.

0116

SECOND COUNT—

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

*James Jones and Joseph Lee*  
of the CRIME OF *Peter* LARCENY committed as follows:  
The said *James Jones and Joseph Lee, both*

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

*two blankets of the value  
of five dollars each*

of the goods, chattels and personal property of one

in the *stable* of the said.

*John Acker, the younger*  
*John Acker, the younger*  
there situate, then and there being found *in the stable* 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.



0117

THIRD COUNT—

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

*James Jones and Joseph Lee*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

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

*two blankets of the value  
of five dollars each*

of the goods, chattels and personal property of one

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

*John Acker, the younger*  
unlawfully and unjustly, did feloniously receive and have; the said

*James and Joseph Lee*  
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.