

0079

BOX:

338

FOLDER:

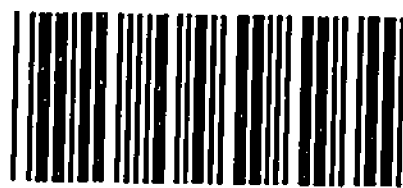
3200

DESCRIPTION:

Nagle, Joseph

DATE:

01/28/89



3200

Witnesses:

Clayd Phoenix
officer 77 Hayes 190

293

Counsel, ~~John~~
Filed 20 day of Aug 1889
Pleads, ~~John~~

THE PEOPLE

put
30. mad
176. in
w. in
with mother living
Joseph Eagle

Grand Larceny 5 years degree.
[Sections 528, 53/-, Penal Code].

JOHN R. FELLOWS,
Pr Aug 20/89 District Attorney.

per a w. 4 inch

Olivia Ref. P.M.

A TRUE BILL.

Geo. Woodbury
Foreman.

0000

0001

Police Court— District.

Affidavit—Larceny.

City and County } ss.
of New York.

of No. 21 E. 33 Street, aged 47 years,

occupation Gentleman being duly sworn

deposes and says, that on the 9th day of January 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 velvet carpet of the value
of one hundred and fifty dollars

(28/50.00)

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Joseph Nagle. (Now here)

from the fact that the defendant's mother had charge of, and lived in deponent's home at No 176 Madison Avenue for the past two years and during that period of time the said defendant lived in said premises. And on or about the 11th day of January 1889 deponent received information that said carpet had been stolen from said premises and that the plumbing in said premises had been broken and the lead and brass carried away. Deponent caused the arrest of the said defendant on suspicion of having

Subscribed and sworn to before me this 1889

Police Justice.

0002

Stolen said property. When he the said
defendant admitted and Confessed in
open Court and in the presence and
hearing of deponent and Officer
Thomas J. Hayes of the 19th Precinct
Police that he had feloniously taken
stolen and carried away said property.
Wherefore deponent prays the said
defendant may be held and dealt
with according to Law.

Sworn to before me
this 20th day of May 1889

J. W. Phelan

J. M. Patterson

Police Justice

0003

Sec. 193-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Joseph Nagle

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 Nagle

Question. How old are you?

Answer.

21 years old

Question. Where were you born?

Answer.

New York

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

Answer.

176 Madison Ave. 7 years

Question. What is your business or profession?

Answer.

Iron Mender

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

Joseph Nagle

Taken before me this

day of May 1889

Police Justice.

0004

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.....

Refer to
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 *July 20* 188 *J. M. Patterson* Police Justice.

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

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

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

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

0885

293 2 103
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Lloyd Thomas
21 East 88th
Joseph Nagle

Offence
Larceny
felony

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Jan 20 1889

Patterson Magistrate.

Hays & Pratt Officer.

19 Precinct.

Witnesses Chas B. Hays

No. 19th Precinct Street.

No. Street.

No. Street.

\$ 1500 to answer

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0006

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph Nagle

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

Joseph Nagle

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

The said

Joseph Nagle

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

one carpet of the value of one hundred and fifty dollars

of the goods, chattels and personal property of one

Lloyd Phoenix

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

John R. Fellows,
District Attorney

0887

BOX:

338

FOLDER:

3200

DESCRIPTION:

Nathan, Abraham

DATE:

01/18/89



3200

0000

Witnesses:

Joseph & Fitzsimons
Charles H. Jenker

Counsel,

Filed

18th day of May 1889

Pleads,

Charles H. Jenker

THE PEOPLE

vs.

Abraham Nathan

Grand Larceny, second degree.
[Sections 628, 684, 553, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Geo. B. Broderick

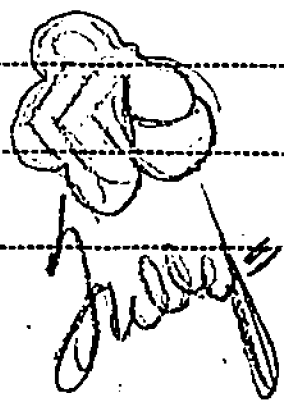
Foreman.

Pr. July 1, 1889
Nied & acquitted

0009

Police Court— / District.

Affidavit—Larceny.

City and County } ss.
of New York,of No. 79 Leonard Street, aged 24 years,
occupation Shipping clerk being duly sworndeposes and says, that on the 29 day of August 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 day time, the following property viz:One bale of Flannel of the value
of about fifty dollarsthe property of Deering, Milliken and Company
and care and charge of deponentand that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by Abraham Nathan (now here)
for the reason that on said day the
said property was in premises 79
Leonard Street and having missed the
same he is informed by Charles St.
Tienken (now here) that he Tienken saw
said defendant place said bale of flannel
upon a truck and drive away and escape.
Deponent further alleges that at the time
of said larceny the defendant was at
said premises receiving goods from
Townsend & Montant for delivery as a cartmanJoe S. FitzsimonsSworn to before me, this 30 day
of August 1888
W. J. Smith
Police Justice.

0890

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles H. Tenker
aged 25 years, occupation Trucking of No. 79 Leonard
Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Joseph S. Fitzsimons
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 30
day of August 1888 } Charles H. Tenker

W. G. B. W.
Police Justice.

0091

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Abraham Nathan 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. Abraham Nathan

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. New York City

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

Answer. 17 Bayard St about 2 years

Question. What is your business or profession?

Answer. Busk Drive

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 -
Abraham Nathan

Taken before me this

day of

1888

John O'Brien
Police Justice.

0892

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

defendant

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

Dated Aug 30 188 8 Chas Cmes Police Justice.

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

Dated Sept 2 188 8 Sam J. C. Bell 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.

0093

1884 1373
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph S. Fitzsimmons
79 Leonard St.
592 Mott Ave
Abraham Nathan

Charles H. Fenner
Officer

BAILED,

No. 1, by Moses Schenck
Residence 38 Calhoun Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence 5 Street.

No. 4, by _____
Residence _____ Street.

2 _____
3 _____
4 _____

Dated Aug. 30 1888

Power Magistrate.
Handy & Dunn Officer.
5 Precinct.

Witness Charles H. Fenner

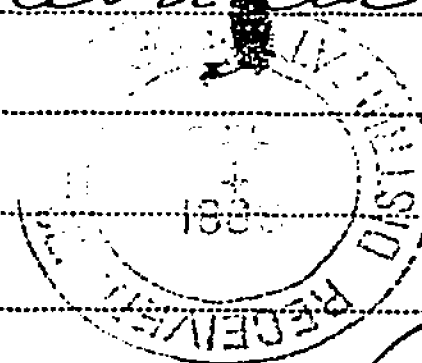
No. 79 Leonard Street.

No. _____ Street.

No. 500 48 Street.

\$ _____ to answer

Bailed COM



0894

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Abraham Nathan

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

Abraham Nathan

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

The said

Abraham Nathan

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

*one bale of flannel of
the value of fifty dollars*

of the goods, chattels and personal property of one

Seth M. Milliken

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.

0895

SECOND COUNT—

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

Abraham Nathan

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

The said

Abraham Nathan

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

*one bale of flannel
of the value of fifty
dollars.*

of the goods, chattels and personal property of one

Seth M. Milliken

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

Seth M. Milliken

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

Abraham Nathan

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.

0896

BOX:

338

FOLDER:

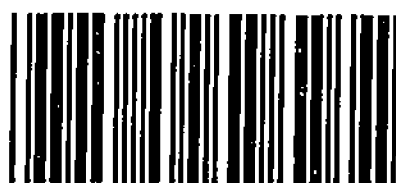
3200

DESCRIPTION:

Neal, William

DATE:

01/10/89



3200

0897

Witnesses:

Mary Fogarty
Officer D.E. Capney 370
W.A. Burton
Embroidery receipt for
at a b. m. m. m.
Steele for Mr. Fogarty
L. McPherson,
1964 3. Jan 27

No. 12

Counsel, A. B.
Filed 10 day of June 1884
Pleads, with entry 11

THE PEOPLE

vs.

William Neal

John M. Clark

(False Pretenses).
[Section 528, and 534, Penal Code].

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Wm. J. Bloomey
Jury 1/19 Foreman.
J. H. H. H. H. H.
Jury 25/19 25

0898

Police Court

District

Affidavit—Larceny.

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

of No. 315 East 126th St Street, aged 38 years,
occupation Housekeeper being duly sworn

deposes and says, that on the 19th day of November 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 day time, the following property, viz:

Fifty Dollars good and
lawful Money of the United States

the property of Deponent

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

in the Manner following - to wit
That on said day the defendant
wrote and sent to deponent the false
order hereto annexed, purporting to be
made and signed by James A Donald
asking deponent for a loan of fifty
dollars - That on the day following the
receipt of said letter by deponent the
defendant called on deponent and representing
himself as the friend of said Donald told
deponent that he had come for the money
which Donald had written deponent about
That deponent believing his statement
and also believing that the letter was

Subscribed by me, this
19th day of November
1888
Deponent

0099

Written by said Donald gave the
defendants the aforesaid amount
of money. That Deponee has since
been informed by said Donald that
he did not write or send the defendants
for the money at any time nor did
he know that the defendants had obtained
any money for his Donalds use.

Wherefore Depo^{nt} charges the
Defendant with so taking and
stealing the said property by means
of said false order or letter, and
appropriating the same to his own use

Mary Fogarty

I have the honor to acknowledge the receipt of your letter of the 21st day of December 1898.
 Yours truly,
 Wm. B. Brown
 Police Justice

0900

CITY AND COUNTY }
OF NEW YORK, } ss.

James A Donald
aged *28* years, occupation *Carpenter* of No. *3rd Avenue 130* Street, being duly sworn deposes and

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

Sworn to before me, this

day of

188

Henry H. Murray

Police Justice.

0901

Sec. 193-200.

CITY AND COUNTY
OF NEW YORK, ss.

5 District Police Court.

William Neal 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty of the
charge*
W. Neal

Taken before me this

188

Police Justice.

0902

POOR QUALITY
ORIGINAL

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

William Neal
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 December 21 188 8 Henry H. H. H. 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.

0903

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court--- 1967 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William Neal

2

3

4

Dated December 21 1888

Murray Magistrate.

Jugan & Oagney Officer.

James D. ... Precinct.

Witnesses

No. 1964 and the ... Street.

No. ... Street.

No. ... Street.

\$2000 to answer

Com

0904

Not found not known

PART I. Copy

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.

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

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

To Mr M. Donald
of No. 1964 - 3rd Ave Street.

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you appear in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York at the Sessions Building, in the Park of the said City. on the 25th day of January instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf against Wm Neal

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

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of January in the year of our Lord 1888

JOHN R. FELLOWS, District Attorney.

0905

Not found not known
Boylan
PART I.

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.

If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

To

of No.

Mr. Gogarty
1964 - 3rd Ave

Street.

GREETING

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York at the Sessions Building, in the Park of the said City, on the 25th day of March instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf against

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

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

in the year of our Lord 1886
JOHN R. FELLOWS, *District Attorney.*

1886
Recorder
1886

0906

No such Person in
the Residence near

N. Y. Co.

Sworn to before me, this
day of 188
a man named with
N. Y. Co.

Hired
for 3 months

retired /

188
by
day of

Subpoena, of which the within is a copy, upon
being duly sworn, deposes and says he

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

Should the case not be called on for trial, and no reason
assigned in Court, please inquire in the District Attorney's
Office about it, and you may save time.
If inconvenient to remain, and you prefer another day,
state this early to the District Attorney, in the Court.
If ill when served, please send timely word to the District
Attorney's Office.
If you know of more testimony than was produced
before the Magistrate, or if a fact which you think material
was not there brought out, please state the same to the
District Attorney or one of his Assistants.

0907

POOR QUALITY
ORIGINAL

(Polson) New York May 19/88
Mrs. Torgast
Kind Madam
My friend Mr. K. called to
see me this morning and said
he had called to see you
yesterday as I requested
him to do and inform you
of my situation which is very
bad indeed but no fault of
mine. My friend Mr. K. has
worked hard to get me out and
if you will be so kind as to
give me a little assistance
you can rest assured I will
repay you in full.

0908

POOR QUALITY
ORIGINAL

Mr. Lehman's word as advice me
 but my wife & her mother has
 done all they could to help him
 from doing so - Now Mr. Lehman
 if you will do me this favor no
 one except my friend & you &
 myself will ever know anything
 about it & I will get out on
 Wednesday and go to work
 & will pay you twenty five dollars
 month & the balance next month
 So I do hope you will assist me
 Let my friend Mr. Nade have \$50.00
 I keep this letter I will care and see
 as a receipt for same - I am your friend
 Mr. Nade's very respect James A. Nade

0909

POOR QUALITY
ORIGINAL

I would like this
 favor of you if I had any
 one else to call on who
 would be my friend.
 Mr. Nixon is the only one
 that has stood by me in my
 trouble & I shall never forget
 him. Give him the money for me
 & he will get the balance &
 give me cash. I do hope you
 will do this for me and no
 one outside of ourselves will
 know anything about it and I will

0910

POOR QUALITY
ORIGINAL

pay you good interest on the
money. I am sorry about the
visitor can't stay. I hope I will
get out Wednesday as I am sick
and tired of this place. you may
rest assured you will get many
cent with interest. Keeping this in
mind you are assured I am your friend
Yours sincerely
J. H. Denny

My friend
I hope the visit will see you
and grant me the favor and I will
ever thank you for your good deed
Yours truly
J. H. Denny

0911

POOR QUALITY
ORIGINAL

and if I have from Kansas, or
the other. I ~~will~~ ^{will} ~~not~~ ^{not}
give it to you - you must
excuse the long letter, bad
spelling & such, I have
regards for you & children
I shall be your friend
James A. Smith

of
Mr. Long
I have been in
the same place quite a while
I am in the same place
very soon after my release in
given by the house

as I have

0912

POOR QUALITY
ORIGINAL

5th Mr. [unclear] if you have [unclear] the
[unclear] get it for me for that
is my only [unclear] [unclear] [unclear]
Succeeds this [unclear] [unclear] [unclear] I
to place [unclear] [unclear] [unclear] [unclear]
[unclear] I [unclear] [unclear] [unclear] [unclear]
[unclear] [unclear] [unclear] as I requested
my friend [unclear] [unclear] [unclear] [unclear] +
[unclear] I am satisfied [unclear] [unclear]
will be all satisfactory with [unclear]
I write Mr. [unclear] [unclear] [unclear] [unclear]
[unclear] [unclear] [unclear] [unclear] [unclear]
[unclear] [unclear] [unclear] [unclear] [unclear]
of this place, until one [unclear]
is [unclear] [unclear] [unclear] [unclear] [unclear]

0913

POOR QUALITY
ORIGINAL

And
told me I will be one, Mrs. J.
old paper for you to go home & give
me & give it to my friend Mrs. Meade
the iron go with the Lawport & the
money paid in Court and
I got a receipt for the same and
that will be the end of it and
Mrs. Ferguson will give me the
account of the same. I have
to come out from Andingham
this morning when the day is over
I am looking at the through
the Board I will be you, and
as soon as I get out

0914

POOR QUALITY
ORIGINAL

I know Mrs. Ferguson, I know
 you are a good housewife and
 working woman with a large
 family to support for and I
 must dislike to ask any more
 favor of you. I should like to see
 if I could not know for certain
 I could give the amount
 back to you in a very short
 time and my friend Mr. [unclear]
 has handled all the business
 he can get do nothing more now
 the papers are all signed and
 in the hands of the [unclear] and
 just as soon as I can get [unclear]

0915

POOR QUALITY
ORIGINAL

Just let her at 2.00. It
arranged for her to go to
the Middle Georgia Co. to
live with Mr. H. H. H.
to Mr. Dersbach, for longer in
my presence. He borrowed him of
a friend. He is now
and cannot twenty down
to be a few more
to be out the same
I wish as far as my friends as
possible to be in the line of this
and on

0916

POOR QUALITY
ORIGINAL

no 1 /
Pawson
The
Sister
for
your kindness to me which I am
in an unusual situation
I am
situated this No. 1000
I am as my friends
It is not
But I am
My part
do
My friend
the Lord

0917

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST

William Neal

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

William Neal

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

The said *William Neal*,

late of the City of New York, in the County of New York aforesaid, on the *19th*
day of *November*, in the year of our Lord one thousand eight hundred and
eighty-*eight*, at the City and County aforesaid, with force and arms, with intent to
deprive and defraud *one Mary Fogarty*

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*

Mary Fogarty

That *one James A. Donald* then desired
to remove the sum of *Twenty Dollars* from
the said *Mary Fogarty*, and had
requested and authorized *him* the said
William Neal to receive and obtain
the said sum of money from the
said *Mary Fogarty*, and *one*
sub of the said *James A. Donald*,
and *the* *one* *the* and *the* authorized

0918

and procured by the said James
Donald to receive and obtain the
said sum of money.

And the said Mary Fogarty

then and ~~there~~ believing the said false and fraudulent pretenses and representations so made
as aforesaid by the said William Neal

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
William Neal the sum of fifty
dollars in money, lawful money
of the United States and of the
value of fifty dollars,

of the proper moneys, goods, chattels and personal property of the said Mary
Fogarty;

And the said William Neal
did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and
personal property, from the possession of the said Mary Fogarty

by color and by aid of the false and fraudulent pretenses and representations aforesaid, with
intent to deprive and defraud the said Mary Fogarty

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 James A. Donald
did not then desire to receive the sum
of fifty dollars, or any sum, from
the said Mary Fogarty, and had

09 19

not requested or authorized him the
said William Neal to receive and detain
the said sum of money or any sum,
from the said Mary Fogarty nor on
behalf of the said James A. Donald
and he was not then and there authorized
or empowered by the said James A.
Donald to receive or detain the said
sum of money.

And Whereas, in truth and in fact, the pretenses and representations so made
as aforesaid by the said William Neal
to the said Mary Fogarty was and were
then and there in all respects utterly false and untrue, as he the said
William Neal
at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said William Neal
in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods,
chattels and personal property of the said Mary Fogarty
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.

0920

BOX:

338

FOLDER:

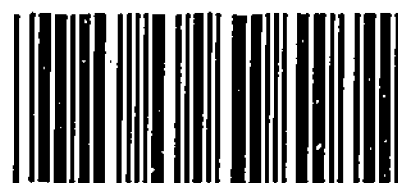
3200

DESCRIPTION:

Neff, Barzilla G.

DATE:

01/16/89



3200

Witnesses.

Archibald S. Clark

I have examined the within
exhibit and have become
fully satisfied that the
people will not be able to
obtain the within in-
formation. I therefore
recommend its deletion
at once.

Witnesses
Edward S. Haggis
Steph. Haggis

I have made a careful
examination of the within
case and I am satisfied
that no error has been
committed as charged
herein. I am fully
satisfied that the
within indictment is
correct.

Feb 3 Feb 11 1889

Witnesses
Edward S. Haggis
Steph. Haggis

Having examined the case I
concur in the above recom-
mendations.
Feb 11/89
J. Haggis
A. Haggis

No 110
Goodrich D. G.
61 Wall

Counsel,
Filed 16 day of Jan 1889
Pleads, Chicago

THE PEOPLE,
vs.
Barzilla G. Stebb
MISDEMEANOR.
[Chap. 188, Laws of 1886, §§ 7 and 8, as amended
by Chap. 577, Laws of 1886, §§ 2 and 3; and
Chap. 216, Laws of 1882, § 2.]

RANDOLPH B. MARTINE,
District Attorney.
Referred to Mr. Brown for
examination -
May 1889
A TRUE BILL.
T. M. Davis
Clerk.

For the People
See Mr. Brown's
Feb 11/89
J. Haggis
A. Haggis

0922

If not called for in 10 days return to
GOODRICH, DEADY & GOODRICH,
LAWYERS,
59 & 61 Wall Street,
NEW YORK.

B. C. Webb, Esq.
32 South St.

Count of General Pensions

The People
vs.

Barzilla G. Meff

Indictment:

Misdemeanor,

Chap. 183, Laws of 1885,

§ 57 & 8, as amended

by Chap. 577, Laws of 1886,

§ 2 & 3, and Chap. 215,

Laws of 1882, § 2.

for having on the 8th of May, 1888,
exposed oleomargarine with in-
tent to sell the same.

Richard D. Clark, 62 West
125th Street, Inspector of the Dairy
Commissioner of the State of
New York. On the 8th of May, 1888,
W. W. Melea and myself visited
the store of the above defendant
at 32 South Street, and we dis-
covered there three tubs of Oleo-
margarine. The defendant said
that he ordered the same and
paid for them with his own

0924

check. The contents of ^{one of the} ~~the three~~ tubs, were analyzed by sample by Russell W. Moore, ^{then} chemist of the Laying Commission, and was found to be Oleomargarine. The said three tubs had the same marks on the bag, serving as a wrapper for them. The defendant stated to me that the said three tubs were the only ones he had in his store, containing Oleomargarine.

0925

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs.

Barzilla G. Allen

BRIEF OF FACTS.

For the District Attorney.

Dated *May 23* 1888
Edward Brooke

Deputy Assistant.

0926

City & County of New York ss.

Nathan S. Tracy
being duly sworn says:

I was Master of the brig Jennifer in 1888, up to October 2nd.

On May 7th 1888, I bought of N. S. Nathan & Co., of New Haven Connecticut, by letter written from New York, four tubs of oleomargarine butter, and directed that the same be sent to the office of B. F. Keff, 32 South Street, New York City; I bought other stores, chandlery, provisions, &c. of Mr. Keff and directed the oleomargarine to be sent to him, in order that all my stores might be sent aboard my vessel together. ~~The~~ The oleomargarine was delivered on board the brig on the 9th of May as appears by the annexed receipt signed A. Small the mate of my vessel.

Said Keff paid the bill of Nathan & Co. as ~~the~~ my agent, and charged it against me. I paid him the amount subsequently. The reason that Mr. Keff paid the

0927

3.

the fact was that I had no bank account in New York, and it was solely as a matter of convenience to me.

I have had hundreds of similar transactions of the purchase of merchandise through Mr. Keff in the last twenty-five years.

I annex hereto Jackson & Co's bill to the brig, and their receipt for the amount of the bill.

The oleomargarine in question was purchased solely for myself by me and for no other purpose. It was in fact delivered to me, and Mr. Keff's only connection with the transaction was as my agent, for the purpose of receiving the same -

Sworn to before
me. July 29th 1889.
Fred W. Gublin

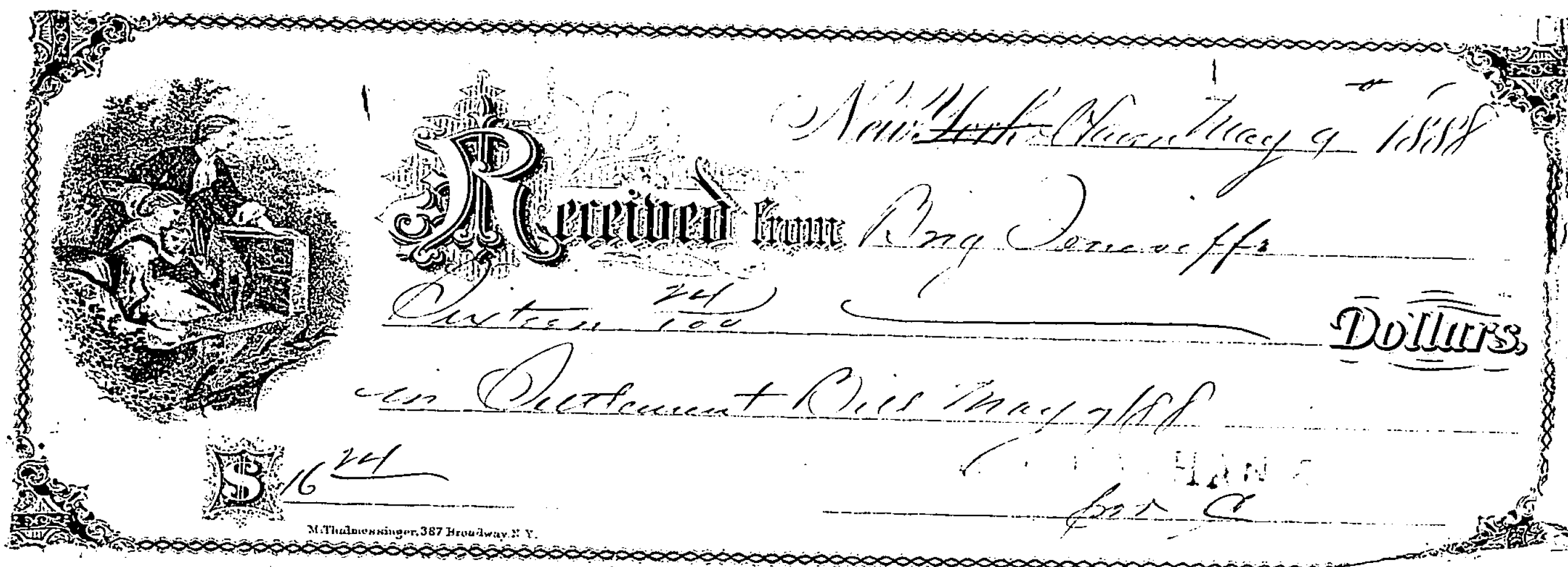
Nathan S. Tracy

0928

POOR QUALITY
ORIGINAL

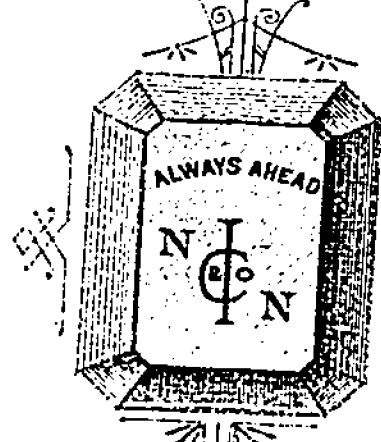
New York May 9, 1888.
Received of *J. O. Nathan* *Per* *St. Herman*
in good order on board *St. Herman*
Full Name of Consignee must be given herein.
MARKED: Duplicate.
Five (4) Bags (Bagged)
Oleum argenteum
#41896/899
Dr. J. O. Nathan
South 11th St
Brooklyn
Receipt given to Shipper was signed by *J. O. Nathan*
Charges, \$ *1.00*

0929



0930

All claims to be made within 5 days after receipt of goods.
Subject to Sight Draft at Maturity.



New York, May 7 1888
M. B. Linniffe New York
Bought of **N.I. NATHAN & CO.**

Telephone Call

"Spring 510"

N. I. NATHAN — M. I. NATHAN.

Terms

BUTTERFICNE

UNDER PATENT GRANTED

N. I. NATHAN

245 Grand St.

No.

Pkgs.

Gross. Tare. Nett. Price. \$

41896/899 4 1/2 Ash 4-34-5 136 20 116 14 16 24

M. B. Linniffe
Bagged
Marked ☒ W.

0931

People v. Hoff.

App of Papers

Tracy and his
friends

Tracy.
for Hoff.

0932

The People of the State
of New York

vs

Banzelini & Neff.

City & County of New York.

Daniel O'Donnell being
duly sworn says - I reside at No 436
South Avenue New York City - I am &
for ten years have been clerk of Ban-
zellini & Neff above named - On May
7. 1888 I received into the Neff store
No 32 South Street New York four tubs in
bags of what was said to be oleoman-
garine - It was brought to the store by
George H. Peltinger who said it came it
from the New Haven Steamboat line -
The four tubs were kept in the store
till the 9th of May when I delivered
them to Mr Peltinger with directions
to take them to the brig Teneriffe -
They were not opened in the store by
any one connected with the Neff
business - I saw them by two gentle-

0933

men who said they were connected
with the New York Dairy Commissioners -

F. G.

~~Sworn to before me~~

F. G.

~~July 21. 1889~~

No bill for said goods to the
said Jeff ever came to the store &
I always understood that the goods
were ordered by the Captain of the brig
and belonged to him & were paid for
by him -

Sworn to before me

Dec. 31. 1889.

Fred R. Giblin

Daniel O'Donnell

Notary Public, Kings County

and in New York County

0934

The People of the State
of New York

vs
Barzdean G. Heff.

City & County of New York

George H. Pettinger

being duly sworn says - I reside at No
113 Dulworth Street Brooklyn - I am a
truckman owning truck No 1617 li-
censed by the City of New York - I have
been accustomed to cart for the above
named Barzdean G. Heff for about
seven years - On May 7th 1888 Daniel
O'Donnell directed me to get four tubs
from the New Haven line of Steamboats -
I got the four tubs and delivered them
to Heffs store 32 South Street and on the
9th day of May 1888 I carted the same
tubs to the Brig Teneriffe which was
then lying at South 11th Street Brooklyn
and delivered them to said brig -

from to before me }

July 21, 1889.
Fred W. Gublin

George H. Pettinger

Notary Public, Kings County,
duplicate filed in New York Com.

0935

Per
vs

Wet

Wet

0936

District Attorney's Office.

PEOPLE

vs.

B G Neff

vs Ma Law

On for next
Wednesday

Senator Connor
of Smoky

0937

STATE OF NEW YORK,

CITY OF

New York

S.S.:

COUNTY OF

New York

Archibald D. Clark, being duly sworn, says,
that he resides at number 305 West 127th Street, in the City of
New York, County of New York and State of New York,
is 37 years of age, and an expert appointed by HON. JOSIAH K. BROWN, the New

York State Dairy Commissioner; that, at the times hereinafter mentioned, one Bargilla
G. Steff ^{Ship Chandler and dealer in butter} was a retail grocery dealer, and had his grocery store in a
room in number 32 South Street, in the City of New York,
County of New York, within this State, and occupied and controlled such room;
that on the 8th day of May, 1888, deponent went into said
Bargilla G. Steff's said store and such room, so occupied and controlled by said
Bargilla G. Steff and then and there saw a quantity of the manu-
factured substance hereinafter mentioned in the said Bargilla G. Steff's
possession, kept for sale and offered for sale by said Bargilla G. Steff,
and so had by said Bargilla G. Steff in his possession and offer-
ed for sale with intent to sell the same for butter made from unadulterated milk or cream; that the
same was contained in a tub in said store

~~which were opened and exposed for sale upon the~~
~~of such store with other groceries;~~ that deponent then and there took therefrom a sample of
such manufactured substance for analysis in the manner required by law; and thereafter, on

May 9th, 1888, deponent delivered such sample so taken by
him as stated, to one Russell H. Moore who was and is known to
deponent to have then been, and who since has been and is now, a chemist, practicing as such
at number the School of Mines Street, in the City of New York County
of New York, within this State, and deponent caused the said substance to be
analyzed by such chemist; that the certificate of such analysis thereof, made by said chemist, is
hereto annexed; that such substance, so kept for sale and offered for sale and had by said

Bargilla G. Steff in his possession, was not butter, the product
of the dairy, and was not made from unadulterated milk or cream; that it was a manufactured
oleaginous substance not produced from milk or cream, and had been made out of some animal
fat or animal or vegetable oils not produced from unadulterated milk or cream of the same, and
by mixing, compounding with and adding to a small quantity of natural milk, cream or butter,
a large quantity of such animal fats or animal or vegetable oils not produced from unadulterated
milk or cream, so as to produce an article, substance and human food in imitation and semblance of
natural butter produced from pure unadulterated milk or cream; that the said substance had been
manufactured and was colored with some coloring matter whereby it was made to and did
resemble butter, the product of the dairy, and was so colored thereby to be and was in imitation
and semblance of natural butter, produced from pure unadulterated milk or cream; that on
said 8th day of May, 1888, when deponent was in the said
Bargilla G. Steff's store, the said Bargilla G. Steff
had his store open for business in the ordinary way and such substance was being offered for sale
as stated in the ordinary course of said Bargilla G. Steff's
~~grocery business;~~ that the names and residences of the persons to whom the same was offered
for sale and a more particular description of such manufactured substance, the ingredients thereof
and the amount of the same are unknown to deponent and cannot be stated herein for that reason.

Deponent charges that the said Bargilla G. Steff against the peace
and dignity of the People of the State of New York, and the statutes on such case made and pro-
vided, wrongfully and unlawfully so had such manufactured substance in his possession, with intent
to sell the same, ^{and with intent to sell the same} as and for butter made from unadulterated milk or cream, and so kept and offered
the same for sale with such intent, and caused, procured and suffered the same to be so kept and
offered for sale, and was thereby guilty of a misdemeanor; and deponent, therefore, asks for a
warrant against the said Bargilla G. Steff for the violation by him of Sec-
tions 7 and 8 of Chapter 183 of the Laws of 1885, as amended by Chapter 577 of the Laws of
1886, and that he may be dealt with as the law directs.

Sworn to before me

this

8th day of June 1888

Archibald D. Clark

Police JUSTICE.

0938

Police Court
County of 1st District
County of New York

THE PEOPLE, &c.

vs.

Bargilla G. Hoff

Affidavit:

Archibald S. Clark

288 GREENWICH ST.,
NEW YORK CITY.

Witnesses:

William W. Western

Residence 288 GREENWICH STREET,
NEW YORK CITY.

Residence Russell W. Moore

288 Greenwich St.

Residence

Chas. O. O'Connell

Counsel

284 Broadway

0939

Series No. 1065 K

RUSSELL W. MOORE, A. M. M. Sc., Chemist.

Certificate of Analysis.

State of New York,
 CITY OF NEW YORK. } ss.
 COUNTY OF NEW YORK. }

I, Russell W. Moore, a chemist,
 practising in the City of New York, County and State of New York, do hereby certify that I
 have analyzed the sample duly sealed and marked 1065 K No 32 South St. N. Y. City May 8th 1888 Arch S. Clark
 received from Arch S. Clark
 on Wednesday May 9th, 1888.

THE SAMPLE CONTAINS:

WATER, - - -	<u>8.20</u>	%
ANIMAL AND BUTTER FAT, - - -	<u>84.90</u>	%
CURD, - - -	<u>1.19</u>	%
SALT, - - -	<u>5.71</u>	%
	<u>100.00</u>	

ANALYSIS OF THE FAT:

INSOLUBLE FATTY ACIDS, - - -	<u>95.52</u>	%
SOLUBLE " " - - -	<u>2.3</u>	%
SPECIFIC GRAVITY OF THE <u>Residue</u> at 15° C., - - -	<u>.99</u>	

This sample is composed mainly of animal fat, and was not produced from unadulterated milk, or cream from the same. It was not produced from milk or cream alone. It contains coloring matter, whereby it is made to resemble butter, the product of the dairy, and is in imitation and semblance of butter, produced from pure unadulterated milk or cream from the same.

I further certify that the foregoing is a true statement of the analysis of such sample so made by me as stated.

Respectfully yours,

Russell W. Moore

Chemist.

Dated May 12th, 1888.

State of New York,
 CITY OF NEW YORK, } ss.
 COUNTY OF NEW YORK. }

On the 14th day of May, in the year
 one thousand eight hundred and eighty eight, before me, the subscriber
 personally came Russell W. Moore, to me well known to be the same
 person described in and who executed the foregoing instrument, and only
 acknowledged that he executed the same.

C. E. Davidson,
 Notary Public
 N. Y. Co.,

0940

No. 1065 K

New York, May 12th 1888

Clematis

Certificate of Analysis.

0941

Sec. 198-200.

124 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Argillia G. Jeff 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

B. G. Jeff.

Taken before me this

day of

1888

John D. Smith
Police Justice.

0942

Sec. 151.

Police Court 1st 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 Richard D. Clark of No. 305 West 127th Street, that on the 8th day of May 1888 at the City of New York, in the County of New York, one Bargilla G. Hoff

unlawfully and wrongfully had in his possession at No 32 South Street in said City a quantity of a certain manufactured substance known as Oleomargarine made & colored in imitation and semblance of butter, with intent to sell the same, and with intent to sell the same as and for butter the product of the dairy in violation of Chap. 183 of the Laws of 1885 as amended Chap. 577 of the Laws of 1886.

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

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

Dated at the City of New York, this 8th day of June 1888.

Robert L. Smith
POLICE JUSTICE.

0943

Police Court 1st District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Archibald D. Clark

vs.

Barizella G. Neff

Warrant-General.

Dated June 8- 1888

Smith Magistrate

Garity Officer.

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

Jas Garity Officer.

Dated June 8- 1888

This Warrant may be executed on Sunday, or at
night.

Police Justice.

2 Pm. 32 South St

Dated

58 ms

ms

ms

Shipchandler Green

ms

ms

312 Broadway and St
BKLY

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

The within named

Police Justice.

0944

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Solon B. Smith a Police Justice
of the City of New York, charging Drayton G. West Defendant with
the offence of

Adulteration of Dairy Products

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 hear-
ing thereof having been adjourned,

We, Drayton G. West Defendant of No. 312
Cumberland St. New York Street; by occupation a Ship Cannibal Merchant
and William Gammont No. 33 South

St. George Street, by occupation a Ship Cannibal Merchant Surety, hereby jointly and severally undertake that
the above named Drayton G. West Defendant
shall personally appear before the said Justice at the 1st 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 Three
Hundred Dollars.

Taken and acknowledged before me, this

day of

188

Solon B. Smith POLICE JUSTICE.

0945

CITY AND COUNTY
OF NEW YORK, } ss.

Sworn to before me, this
18th day of
June 1888
at New York
City
Justice

William Gammon
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 *Six* 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 *The house & lot of land*

situated at 195 Broome Street Brooklyn
and is worth Sixty Five hundred dollars
clear of all debts
Wm Gammon

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Underlying to appear
during the Examination.

vs.

Taken the day of 1888

Justice.

0946

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.....

Rependant
Free 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 *June 8th* 188 *8*

Solomon Blumenthal
Police Justice.

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

Rependant
to bail to answer by the undertaking hereto annexed.

Dated *June 11* 188 *8*

Solomon Blumenthal
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.

0947

Sumo 11
10 am

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

876 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

2

3

4

Dated

1888

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

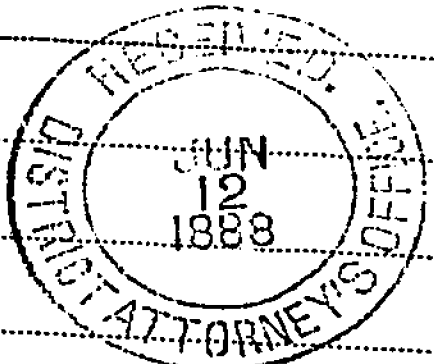
No.

Street.

\$

to answer

Bailed



0948

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
Plaintiffs,

against

Barzella G. Neff
Defendant.

(Chap. 215, Laws of 1882, § 2.) **The Grand Jury of the City and County of New York**, by this indictment, accuse the above-named defendant of a Misdemeanor, committed as follows :

The said defendant, late of the City of New York, in the County of New York, aforesaid, on the *eightth* day of *May* in the year of our Lord one thousand eight hundred and eighty-*eight*, at the City and County aforesaid, did unlawfully expose for sale and cause and procure to be exposed for sale, a large quantity, to wit : one hundred pounds, of a certain article and substance in semblance of natural butter, and known as oleomargarine or imitation butter, the same not being the legitimate product of the dairy, and not being made exclusively from milk or cream, or both, with salt or rennet, or both, with or without coloring matter or sage, but into which divers oils, and animal and other fats, not produced from milk or cream, had been introduced (a more particular description of which said article and substance is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

SECOND COUNT : (Chap. 183, Laws of 1885, § 7, as amended by Chap. 577, Laws of 1886, § 2.)

And the Grand Jury aforesaid, by this indictment further accuse the said defendant of a Misdemeanor, committed as follows :

The said defendant, late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully keep and offer for sale and cause and procure to be kept and offered for sale, a large quantity, to wit : one hundred pounds, of a certain article, substance and compound in imitation and semblance of natural butter produced from pure unadulterated milk, or cream of the same, the said article, substance and compound, so sold as aforesaid, being rendered, manufactured and produced out of divers animal fats and oils not produced from unadulterated milk, or cream from the same, the said article, substance and compound not having been manufactured prior to, and not being in process of manufacture

on the first day of August, in the year of our Lord one thousand eight hundred and eighty six, (a more particular description of which said article; substance and compound, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

THIRD COUNT, (Chap. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886 § 3.

And the Grand Jury aforesaid, by this indictment further accuse the said defendant of a Misdemeanor, committed as follows:

The said defendant late of the City and County aforesaid, afterwards, to wit: on the said *eight* day of *May* in the year of our Lord one thousand *eight* hundred and eighty-*eight*, at the City and County aforesaid, did unlawfully have in *his* possession, a large quantity, to wit: one hundred pounds of a certain compound, product and manufacture made in whole from animal fats and animal and vegetable oils, not produced from unadulterated milk or cream, which said compound, product and manufacture had been before then, and was then and there colored with coloring matter, whereby the same did then and there resemble butter, the product of the dairy, with intent to sell the same; (a more particular description of which said compound, product or manufacture, and of the fats and oils from which the same was so made as aforesaid, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

FOURTH COUNT: (Chap. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 8.

And the Grand Jury aforesaid, by this indictment further accuse the said defendant of a Misdemeanor, committed as follows:

The said defendant, late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully have in *his* possession, a large quantity, to wit: one hundred pounds of a certain compound, product and manufacture made in part from animal fats and vegetable oils not produced from unadulterated milk or cream, which said compound, product and manufacture had been before then, and was then and there colored with coloring matter, whereby the same did then and there resemble butter, the product of the dairy, with intent to sell the same; (a more particular description of which said compound, and of the ingredients thereof, is to the Grand Jury aforesaid unknown, and cannot now be given), 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 N. Pelton
RANDOLPH B. MARTINE

District Attorney.

0950

BOX:

338

FOLDER:

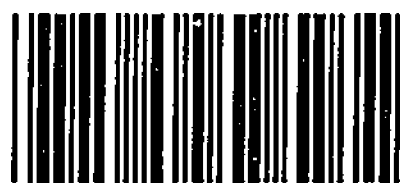
3200

DESCRIPTION:

Neff, Theodore

DATE:

01/24/89



3200

POOR QUALITY
ORIGINAL

0951

WITNESSES:

John Mohr

Cardman

~~*Edward Jeff*~~
~~*Gracomb's Dam Road*~~
~~*Oct. 153 454 454*~~

Edward Jeff

Gracomb's Dam Road
Oct. 153 454 454

267 828/19

Counsel, *Jeff*
Filed day of *Aug* 1889
Pleads *Guilty July 11/89*

THE PEOPLE,

vs.

153, 154

Theodore Jeff
Aug 24/89

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1983, Sec. 21 and
page 1989, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

Trine 30. P.M.

THE BILL.

Mr. Wood
Foreman.

Post 7 June 7/89-
Pleads Guilty.

0952

District Attorney's Office.

ss Office,
New York.

PEOPLE

vs.

Thos. Hiff

Officer Moore

32 West

July - 18 / 86

Indictment June -
28th / 88 -

0953

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

City and County } ss.
of New York,

of No. 32nd Street John Mohr Street, aged years,
occupation Police Officer being duly sworn, deposes and says,
that on the Sunday day of July 1886 at the City of New
York, in the County of New York, and thereunto, did

intentionally sell to devonians and to others
other persons as a beverage, certain intoxicating
liquors and wines.

From the before mentioned
day of January, 1886.

John Mohr

0954

267

828

DISTRICT ATTORNEY'S OFFICE,

City and County of New York.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John W. ...
vs. *52 ...*
Edward ...
Edward ...
...

Offence

Dated *January 22* 188*9*

Witnesses,

No. Street,

No. Street,

No. Street,

0955

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Theodore Hoff

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

Theodore Hoff
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said *Theodore Hoff*.

late of the City of New York, in the County of New York aforesaid, on the *nineteenth* day of *July*, in the year of our Lord one thousand eight hundred and eighty-*nine*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, 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 intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one *John Miller*.

and to certain other persons whose names are 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

Theodore Hoff
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Theodore Hoff*.

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, 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.

0956

BOX:

338

FOLDER:

3200

DESCRIPTION:

Newman, William

DATE:

01/09/89



3200

Witnesses;

Joseph Davis

Officer Gibson 28 P

Wm Ryan

10/17

Counsel,

Filed

Pleads,

Coleman
287 Bmy

day of May 1889

Wm Ryan

THE PEOPLE

vs.

P

William Newman

Burglary in the Third Degree.
[Penal Code.]

[Section 498,

10/17
10/17
10/17

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm Ryan
Jan 15/89 Foreman.

Wm Ryan
Jan 21/89

Jan 21/89

0957

0958

Police Court—14 District.City and County { ss.:
of New York,of No. 1157 First Avenue Street, aged 35 years,
occupation Tailor being duly sworndeposes and says, that the premises No. 1047 First Avenue Street, 19 Ward
in the City and County aforesaid the said being a One story framebuilding
and which was occupied by deponent as a Tailor shop
and in which there was at the time a human being, by nameattempted to be
were **BURGLARIOUSLY** entered by means of forcibly breaking off
the padlock of the front door and
with intent to enter therein and
commit a felonyon the 19 day of December 1888 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:A quantity of Cloth and Clothing
together of the value of five
thousand dollars \$5000⁰⁰/₁₀₀the 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 byWilliam Stearns and two
others unknown to deponent nor yet arrested

for the reasons following, to wit:

That at about 10 o'clock
PM of the above date deponent securely
locked fastening and bolted all
the doors and windows leading into said
premises. That deponent is informed
by William Ryan of No 1020 First
Avenue that at about 10¹⁵ o'clock PM
of the above date he saw deponent
Stearns and said unknown persons

0959

Coitering in front of defendant's shop
door abstracting in a suspicious
manner and a few minutes thereafter
he saw defendant Newman fumbling
about the door and hearing the door rattle
and immediately thereafter both of these
defendants went away, and immediately
thereafter said defendants had gone
away said Ryan Examining said
door and found that it had been
tampered with and said Padlock
partly pulled off. That defendant
is informed by Officer Joseph H. Gibson
of the 90th Precinct that he arrested
said defendant Newman on First
Avenue near 59th Street at about 10³⁰ PM
of above date and that he then found
lying in front of said store door the
Chisel shown.

Served to before me *Joseph H. Gibson*
this 20 day of Dec 1888

Police Justice.

188

Dated

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

Police Justice.

188

Dated

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

Police Justice.

188

Dated

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.

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

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.

0960

CITY AND COUNTY }
OF NEW YORK, } ss.

William Ryan
aged *28* years, occupation *Styis Walchman* No. *1025 First Ave* Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *Joseph Davis*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this *22*
day of *Dec* 188*8*

William Ryan
A. J. White
Police Justice.

0961

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 40 years, occupation Police Officer of No. 231 Duane Street, being duly sworn deposes and

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

Sworn to before me, this 20 day of Dec 1888 Joseph H. Gibson

A. J. White
Police Justice.

0962

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

William Newman 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.

William Newman

Question. How old are you?

Answer.

23 years

Question. Where were you born?

Answer.

New York City

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

Answer.

No 1088 First Ave 3 1/2 years

Question. What is your business or profession?

Answer.

Boiler maker

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

Answer.

I am not guilty

Wm Newman

Taken before me this

day of

188

Police Justice.

0963

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

Neuman

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 Dec 20 188 8

S. J. White

Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated

188

Police Justice.

There being no sufficient cause to believe the within named

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

Dated

188

Police Justice.

0964

Police Court--- 1966 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Davis
1057 vs. 100 ave
H. Newman

Attempted
Offense
Burglary

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

2

3

4

Dated Dec 20 188

White Magistrate.

Gibson Officer.

23 Precinct.

Witnesses Mar Ryan

No. 1025 Gibson Street.

Callahan Officer

No. Street.

No. Street.

\$ 1500 to answer Yes

Om

Atty
Burg 3

0965

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Newman

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

William Newman
attempting the Crime of
of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

William Newman

late of the *Nineteenth* Ward of the City of New York, in the County of
New York, aforesaid, on the *nineteenth* day of *December* in the year of
our Lord one thousand eight hundred and eighty-*Eight*, with force and arms, at the Ward,
City and County aforesaid, a certain building there situate, to wit: the *shop* of one

Joseph Davis
attempt to

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

Joseph Davis

in the said *shop* 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.

John R. Fellows,
District Attorney

0966

BOX:

338

FOLDER:

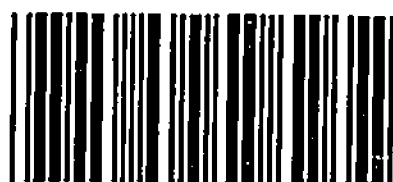
3200

DESCRIPTION:

Normile, Michael

DATE:

01/30/89



3200

0967

Witnesses:

Bryan Flury
off. James W. G. Jr.

372 Herzogman, W.

Counsel, 30
Filed day of May 1889
Pleads, *Not guilty*

THE PEOPLE

vs.

P
Michael Normile

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Howe
Foreman.

Feb 4/89

*Spred & Connell of
Cassand & Son*

U.S. 3 yds.

0968

Bernard Geary
is dangerously
injured, but is in
a fairly good condition
this morning.
Jan 3/86 Wm
H. H. H.

0969

This certifies that Bryan
Furry now in this hospital
under treatment for -
Penetrating stab wound
of abdomen and now
penetrating stab wound
of back - is doing well
and is considered out
of danger -

N. H. Ross M.D.

Providence Hospital
Jan - 7. "88

0970

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

of No. the 15th Avenue Street, aged 27 years,
occupation Police Officer being duly sworn deposes and says,

that on the 2 day of July 1889
at the City of New York, in the County of New York, he arrested

Michael Tamm (now known)
upon Complaint of Bryan Ferry
of Avenue A. bet. 41st and 42nd streets
charging said Michael with cutting
and stabbing him, the said
Ferry is now confined to the
Hospital and unable to appear
in Court and make formal Complaint.
Deponent prays that said Michael
be held to await the result of
said injuries James A. McGuire

Sworn to before me, this

of

1889

day

John W. McQuinn Police Justice,

0971

Police Court-- H District.

THE PEOPLE, & c.

ON THE COMPLAINT OF

James A. McGinnis
vs.
Michael Normile

AFFIDAVIT.

Ch. A. Smith

*Held without
bail to await
result of Inquest*

Dated January 3 188 9

German Magistrate.

McGinnis Officer.
SV

Witness, _____

Disposition, _____

0972

Police Court— 14 District.

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

Bryan Ferry
of North Side 72^d Street bet Ave A and East River ~~Street~~, aged 45 years,
occupation Printer being duly sworn
deposes and says, that on the 7 day of January 1889 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Michael Stornile (now here)
who Cut and stabbed deponent
in the abdomen with a knife
then and there held in his
said Michael's hand,

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 18 day

of January 1889

Bryan Ferry
mark
W. A. [Signature] Police Justice.

0973

Sec. 103-200.

4 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK.

Michael Normile 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.

Michael Normile

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

No. 1335 First Ave. 4 months

Question. What is your business or profession?

Answer.

Seaman

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 Normile
mark

Not

Taken before me this

day of

Dec 1888
John J. Burke
Police Justice.

0974

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 Lamb

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 January 7 188

W. H. Lamb 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.

0975

372 - 100
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Bryan Perry
North side 72 St
bet ave 2 & E.R.
Arch Stomach

2.....
3.....
4.....

Office
Callaway

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *January 18* 188*9*

W. C. McQuinn Magistrate.

McQuinn Officer.

25 Precinct.

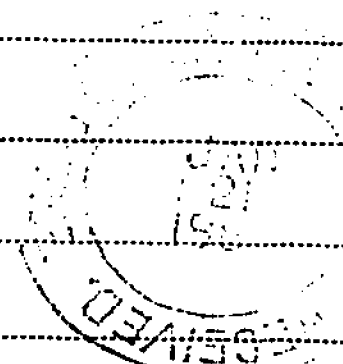
Witnesses.....

No. Street.

No. Street.

No. Street.

\$ *2000* to answer



Callaway
25

40/89

The People
 Micheal Normile } Court of General Sessions Part I
 Before Judge Cowing. Feb. 4. 1889
 Indictment for assault in the first degree.

Bryan Ferry, sworn and examined,
 testified. I am a tinker; on the second of January
 the defendant happened to come down to my
 house; it was in the dusk of the evening. I
 live in Seventy Second St. I live in a shanty.
 He stabbed me with a knife I suppose, I
 did not see it with him. I was stabbed five
 times; once in the side, once in the shoulder
 and three times in the back; they did
 not amount to much in the back. I was
 two weeks in the hospital. I don't know why
 he stabbed me. I did not know that I did
 anything. I had no quarrel at that time.

We had a little bit of a dispute a year ago
 but it did not amount to anything.
 Mr. Goff read the following certificates in evidence.
 "Bryan Ferry is dangerously injured but is
 in a fairly good condition." Dr. Mann, house
 surgeon, dated January 3. 1889.

Further this certifies that Bryan Ferry now
 in this hospital under treatment for a
 penetrating stab wound of the abdomen and
 a non-penetrating stab wound of the back,
 is doing well and is considered out of
 danger. W. H. Rees, M. D. Presbyterian
 Hospital, January 7. 1889.

0977

When he stabbed me I ran in the street and the officer sent for an ambulance for me. I could not tell you where he went after he stabbed me. I got away as quick as I could. He happened to catch hold of each other before he stabbed me; we were in a quarrel. I could not tell you what led up to it. He happened to make a strike at me and I did not know whether he stabbed me at the time. Before I was stabbed we were struggling for a few moments; it did not last long, it was done in a couple of seconds. I should think I left the defendant in the County when I ran out. I ran as quick as I could. The next time I saw the defendant was when he was taken to the hospital by the police officer. I said they could do as they liked with him, he was the man that stabbed me. I was pretty sick. The defendant said going out, "I hope you will soon be well. I saw him once in the Court house since that once. I don't know any of his friends. His wife and father in law have been to see me since he was arrested and asked me to be easy with him.

Cross Examined. Many a time the defendant and I worked together. We were not "pretty full" this day. A couple of pints would

not make both of us drunk. That is all I had in his company. I could not tell how much I had taken during the day, may be. I took two glasses of beer. The defendant made a hit at me and I grabbed for him. I fell on the floor. Did not he hit on the stove? That is more than I can tell you about the stove. Was there any unfriendly feeling between you two before? Nothing bad as I know. Do you believe that he intended to inflict serious bodily harm upon you? That is more than what I could tell you; that is for you to judge, it is not for me. Was there any one present in the shanty when this took place? There was a couple of women in there before, but I do not know which of them was in there at the time and some children. There is no one in Court who was there that day.

James A. McGinnis sworn. I am a police officer and I remember arresting the defendant on the second of January at No 1335 First Avenue under the bed. I saw the complaining ant before that on Avenue A between 72nd and 73rd streets sitting on a rock. He was all stooped over like this (showing) holding his side; his insides were hanging out of the wound; his entrails were hanging out of the wound. My post runs from

0979

First Avenue and the Boulevard on the side streets, and I came down and rapped for assistance and I got the man ^{up} ~~sent~~ ~~help~~ ~~know~~ for an ambulance to the hospital and he was sent there in an ambulance. I did not notice any other wound upon him except this one where his entrails were out; he pulled up his shirt and showed us this wound. It was from what he said to me that I arrested the defendant. I did not go with the complainant to the hospital. I went after the defendant. I did not know him; but from information which I received I found out where he lived and found him under the bed in a basement. I did not see him rush under the bed, but they had put the lights out when we got there. I went and got a candle and got another officer to search the house and found him under the bed. There were no marks on the defendant that I saw when I arrested him and no stains upon his clothing or person. I found no weapon upon him. We went back and searched his trunk and found a knife with stains of blood on it. The knife is in the station house. It was a jack knife and the blade was closed when we found it. The stains

were not damp; it was nearly an hour afterwards. I said to the defendant, "What are you doing there?" He said, "I was drunk, and I laid down here. It is about four blocks from his shanty to where the complainant was stabbed. I told him, 'you committed an assault on a man in Seventy Second St. Then I got to the station house. The Sergeant asked him, 'What did you stab this man for?' He says, 'I did not stab him; we were scuffling on the floor, and I said to him, 'if you don't look out you will get cut.' The Sergeant asked him, 'What made you make that remark?' He says, 'Because there was rough boards on the floor and I thought he would get cut with the rough boards. The defendant did not appear to be under the influence of liquor, he may have had some, but he could walk and talk just the same as anybody.

Michael Normile, sworn and examined in his own behalf testified. I was living at No 1330 First Avenue at the time this happened. I am a tinker the same trade as the complainant. I have often worked with him and have known him since I have been in the city, that is pretty near three or four years. I had a little quarrel with him a year before this, but it did not

amount to anything. Since that time I have
 worked with him dozens of times and have
 drank with him. About this occurrence all
 I have to say is I was working that day,
 was not drinking anything before that time
 probably for two months before. When I came
 home this man's wife was in my house;
 she said, "Mike, why dont you come down
 sometime?" She invited me down to the house.
 I went down and this man and I got
 drinking; we were "working the grinder." They
 put it on the stove and commenced warm-
 ing it and putting sugar in it. I never
 drank warm beer in my life before and
 it commenced to take effect upon me. We both
 got drinking. I was getting up to go home
 and Mr. Henry wanted to get more beer,
 I thought he was going for me and the
 two of us got clinched in the middle of the
 floor. I put him down. I said, "Will you be
 quiet if I let you up?" He says, "Yes." Then
 we got up again ~~the~~ looked at me, and the
 two of us got in another clinch; he got
 over on top of me. I said, "Look out, you
 may get hurt." ~~He~~ had ~~his~~ ^{my} finger in ~~my~~ ^{his} mouth.
 With that he got off me. I went out. I was
 standing on the top of the hill. A young
 fellow came to me and said, "Mike, Bryan

is cut. "I did not cut him. He said, "you had better go." I will go over to the house. So I went over to the house. I was hardly there five minutes and I heard the officer's steps coming in. I was pretty drunk, and on account of my never being arrested before I got scared and I went under the bed. I got my arm burned in the house. I never was arrested only one time for being a little tight about two years before. I never stole anything in my life. I have always been working since I was seven years old. I had no grudge against the complainant.

Cross Examined. He had his finger in my mouth and he was chewing on it. I got to this shanty about half past five in the afternoon. I think it must have been eight or nine o'clock when the officer arrested me. I went out and got a can of beer and it was drunk between us and the two women; there was probably a dozen of pints of beer sent out for. There were no hard words between the complainant and me. The women are not in Court. There was no quarrel about the women. I could not tell you whether or not the women were sober, for I was drunk myself. I made an effort to get out of the shanty after we were clinched, but before I got to the door we got clinched again. I was

flung on the stove during these jostles. I do not remember being flung on the stove till next morning when my hand was blistered. I was sober enough to understand what the boy said to me and was sober enough to make a reply to him that I did not do the cutting. Then I made my way home and as soon as I heard the tramp of the officers I went under the bed. I knew the complainant and I had been struggling but I did not know these cuts were inflicted on him. I never remember telling the officer that the complainant must have got cut by falling upon the boards on the floor but I may have done so. I am in the habit of putting the knife in the trunk every night where I kept my clothing. It is a knife I use for fixing umbrellas. I kept the trunk in my bed room locked and I had the key in my pocket. I did not tell the officer the knife was in the trunk.

James McGirr recalled. When I was fetching the prisoner to Court he admitted that he did the cutting and that the knife was his and he wanted to know if he could get the knife after the trial was over. I did not state this before because I was not asked. The jury rendered a verdict of guilty with a recommendation to mercy.

0984

Testimony in the
Case of
Michael Normile

filed June 189.

0985

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Michael Normile

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

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

The said *Michael Normile*

late of the City of New York, in the County of New York aforesaid, on the
second day of *January* in the year of our Lord
one thousand eight hundred and *eighty-nine*, with force and arms, at the City and
County aforesaid, in and upon the body of one *Bryan Ferry*—
in the peace of the said People then and there being, feloniously did make an assault,
and *him* the said *Bryan Ferry*—
with a certain *knife*—

which the said *Michael Normile*
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 *Bryan Ferry*
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
Michael Normile
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Michael Normile*

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 *Bryan Ferry*—
in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make another assault, and *him* the said
Bryan Ferry—
with a certain *knife*—

which the said *Michael Normile*
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.

0986

THIRD COUNT—

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

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

The said

Michael Normile

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
Bryan Ferry in the peace of the said People then
and there being, feloniously did wilfully and wrongfully make another assault, and

him the said *Bryan Ferry*
with a certain *knife*

which

the said

he *Michael Normile*
in *his* right hand then and there had and held, in and upon the *abdo-*
men of *him* the said *Bryan Ferry*

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 *Bryan Ferry*

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.

0987

**END OF
BOX**