

0858

BOX:

443

FOLDER:

4086

DESCRIPTION:

Brunner, Fritz

DATE:

07/01/91



4086

0859

BOX:

443

FOLDER:

4086

DESCRIPTION:

Falk, Henry

DATE:

07/01/91



4086

0060

Witness:

After a careful examination of all the witnesses in this case, I am convinced that no case can be made against either of defendants. The evidence is meagre and conflicting, & in my opinion wholly unreliable.

I therefore recommend the dismissal of this indictment.

Sept. 21. 1891.

Samuel M. Davis,

Asst. Dist. Atty.

403
Counsel,
Wm. G. Williams

Filed
1st day of July 1891
Pleas, #1 Not Guilty

THE PEOPLE

MANSLAUGHTER
[Section 189 of Penal Code.]

Henry Falk
vs
Fritz Brunner

Deputy
JOHN H. FELLOWS

District Attorney.

Sept 21. 1891. v. m. D

A True Bill.

Chas. F. Williams
Dist. Atty. - Sept. 21/91 Foreman.
The District of Dist. Atty.
Indictment returned
as follows.

0861

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question—What is your name?

Answer—

W. William Bonstelle

Question—How old are you?

Answer—

24

Question—Where were you born?

Answer—

New York City

Question—Where do you live?

Answer—

69th St bet 10th & 11th (East) (Manhattan)

Question—What is your occupation?

Answer—

Carpet Cleaner

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

*Iy advise of counsel
I stand true guilty*

William Bonstelle

Taken before me, this *28* day of *May* 188*7*

Louis A. Schuyler

CORONER.

0862

MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
21 7 9 Years 3 Months 4 Days	N. Y.	69 th St bet 10 th & 11 th Ave	May 25.

0863

Witnesses:

- Mathew Kenealy 26th Prec
- James Thompson 26th Prec.
- William Wise, Engine no 40
- Joseph P. Green do.
- Magdalena Bohn 149 W 65
- Dorthea Maile, Bondvard 68 + 69 St
- Mr Senior 163 W. Bondvard 67 + 68 St
- William Johnson Bondvard 68 + 69
- Mrs Parker 147 W 62 St
- Fritz Schreiber 211 W 67 St
- Michael Ouer 43 W 63 St
- Phillip Wutzky 50 W. 10 Ave
- Thomas Ferdinand 187 10th Ave

The Grand Jury today dismissed the indictment as against the defendants Maile and Bonestale as appears by the Grand Jury minutes, and the coroner requested to endorse the dismissal upon their papers.

Under the circumstances I think it very proper that the said Maile and Bonestale should be discharged from custody July 1/91

760
 791-1891
 HOMICIDE.

AN INQUISITION.

On the VIEW of the BODY of

Frederic Bonestale.

whereby it is found that he came to his Death by the hands of ~~the hands of~~ in a ~~blow~~ manner unknown to the Jury

People
 Henry Falk
 George Maile and
 Wm Bonestale

Inquest taken on the 28 day of May — 1891

before Louis Schultzy Coroner.

Committed { July 1, 1891
 Bailed { George Maile and
 Discharged { William Bonestale
 discharged on their
 verbal recognizance
 see endorsement.

Date of death (Over)

0864

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK } ss.

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

Question—What is your name?

Answer—

George Maile

Question—How old are you?

Answer—

21

Question—Where were you born?

Answer—

New York City

Question—Where do you live?

Answer—

187 Watson Boulevard
Room 69

Question—What is your occupation?

Answer—

Wagon Painter

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

I have nothing to say
except that I am
guilty George Maile

Taken before me, this

28 day of May 1887

Louis G. [Signature]

CORONER.

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the house of Coroner's Office No. 124 Second Avenue, in the Ward of the City of New York, in the County of New York, this 28th day of May in the year of our Lord one thousand eight hundred and 91 before Louis N. Schultz, Coroner, of the City and County aforesaid, on view of the Body of Frederic Boneste

being dead at Upon the Oaths and Affirmations of Ten good and lawful men of the State of New York, duly chosen and sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said Frederic Boneste came to his death, do upon their Oaths and Affirmations, say: That the said Frederic Boneste came to his death by on May 24th 1891, in 69th Street between 10th & 11th Avenues in a manner unknown to the jury. We recommend that the prisoners Henry Falk, George Mail, and William Boneste be held to await the action of the Grand Jury.

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition, set our hands and seals, on the day and place aforesaid.

Robt. Prater 85 8th JURORS.

- Judick Meyer 89 second Ave.
Thomas G. Hughes 67 8th Ave
Lorenz Wahlhagen 110 Seventh Ave
John F. Tully 69 8th Ave
Albert Brunner 582 Hudson. str.
H. Berger 101 - 4th Ave
Ben. Fitch 57 11th Ave.
Charles D. Schumacher 46 Eyns Rd
Charles Emmons 5th Eighth Ave
Louis T. Schultz CORONER, E. S.

0866

TESTIMONY.

Albert J. Warden M. D., being duly sworn, says:

I have made an autopsy of the body of

Melvie Borwick

now lying dead at

69th bet 10 & 11 avenue and from such examination

and history of the case, as per testimony, I am of opinion the cause of

death is *fracture of skull by blow on head*

at forehead between 60 & 71st

May 7th

fracture of skull

extra cranial hemorrhage,

A. J. Warden

M. D.

Sworn to before me,

this

25th

day of

189

Albert J. Warden

CORONER.

0068

L. W. S.

Hennrich

Quar.

189

AN INQUISITION

On the VIEW of the BODY of

Hennrich
Trudwig Hennrich

whereby it is found that he came to
his death by

Inquest taken on the

day

of

189 before

LOUIS W. SCHULTZE, Coroner.

791

0869

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question—What is your name?

Answer—

Henry Falk

Question—How old are you?

Answer—

21

Question—Where were you born?

Answer—

New York City—

Question—Where do you live?

Answer—

149 West 68th St.

Question—What is your occupation?

Answer—

Brook handler

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

*By advice of counsel
I plead not-guilty—*

*Henry F. Falk
month*

Taken before me, this *28* day of *May* 18*89*

Louis H. [Signature] CORONER.

0870

TESTIMONY.

Autopsy.

May, 26th 1891. 9³⁰ AM

Body fairly well nourished.

Rigor mortis marked.

Examination shows a lacerated wound of scalp in left parietal region about 1 1/2 inches in length. There was considerable ecchymosis of the scalp below and around this wound.

There is a fracture of the skull beneath this wound. Extending downwards & forwards into the squamous fossa of the temporal bone and ending in the anterior fossa of the base. It also extended backwards and downwards into the occipital bone & the right of the median line.

There was some clotting of blood beneath the dura mater in the region of the fracture.

There was a large extra dural clot on the right side extending to the base.

The right temporo-sphenoidal lobe of the brain was much lacerated. Brain generally congested.

Lungs congested and oedematous.

Heart normal.

Abdominal organs normal.

Cause of death. Laceration of brain, extra cranial hemorrhage, fracture of skull above described.
Albert N. Weston M.D.Sworn to before me,
this26th Day of May 1891
L. H. [Signature] CORONER.

0871

B 133
3 cop. Coroners Office, New York County.

Inquest into the death)

- of -)

FREDERICK BONESTELE.)

) Before
) HON. LOUIS W. SCHULTZE,
) and a Jury.

New York, May 28th, 1891.

Appearances: Messrs. Purdy & McManus appear for Henry Falk; one of the prisoners; Mr. Schloss, appears for William Bonestele.

-----oOo-----

OFFICER MATHEW KENEALY, duly sworn, testified:

I am attached to the 28th Precinct; about 11 P. M. on the 23rd instant I was corner of 67th Street and 10th Avenue and a citizen came up and told me there was a fight on the Boulevard between 68th and 69th Streets; I went down there and the fight was all over and the deceased was on the ground with a deep gash in his head;

I asked who hit him and George Mill and William Bonestele accused William Falk or Henry Falk.

Q What is his name? A. Henry Falk.

We got Henry Falk and we asked William Bonestele and George Miller if they were in the fight and William Bonestele said he drew one stick and I locked them all up for being implicated in it; I went for an ambulance and left them in charge

of Officer Thompson.

By Mr. Schloss:-

Q Whereabouts was this you saw the deceased on the ground?

A. About twenty feet off the Boulevard, between 68th and 69th Streets.

Q And this yard you speak of is a black-smith's yard?

A. It is a black-smith's yard, he used it for wagons.

Q What conversation did you have with the deceased, if any?

A. ~~Excuse me~~ I didn't have any conversation with the deceased.

Q Was he dead when you arrived? A. No, sir.

Q Didn't you ask him any questions? A. He couldn't speak; I asked him questions, he didn't say anything; I received no reply; he never regained consciousness.

-----oOo-----

OFFICER JAMES THOMPSON, duly sworn, testified:

I am attached to the 68th Precinct. I heard the cry of this man Bonestele on the Boulevard and I went there and found the deceased lying on the ground with this wound on the back of his head; Officer Kencaly came and told me to arrest this man Falk and these other two; that is all I sen of it.

Q You didn't see any blows struck? A. No, sir.

By Mr. Schloss:-

Q How many persons were present to your knowledge?

firing sticks; the deceased was twenty-five or thirty feet ahead of them.

Q How many people were in the yard? A. Three men and the deceased.

Q They were firing sticks? A. Yes, sir; they were firing sticks and all of a sudden I heard a cry as though it was a bang, with that this man was about two feet opposite the water closet, and he dropped and I said to Foreman Greene, I said, there is a fellow dropped. I hollered to this man there, he claimed that he was his brother, I said look at this man there, see if he is hurt, and so did the other fireman, and he came back and Greene said who is it; he said it is my brother; he said, "The son-of-a-bitch, if he was not in the way, he would not have got hit." I said that is a way nice to talk about your brother. I said, to the assistant foreman we had better send out for an ambulance.

Q Did anybody say who hit him? A. I don't know - I didn't know, he said, "I know who hit him." The brother said he knew who hit him; that is all he said. He said I know who hit him. I hollered to Foreman Greene to call the Assistant Foreman and send out an ambulance call.

Q What was the character of those people around there in that neighborhood?

Objected to.

Q Did you ever see them before? A. I seen them walking by the door of the engine house; I was only there a short while.

-By Counsel:-

Q Do you know those three men that were in there at the time? A. There is two of them there now -

Q Was this defendant there? A. No, sir.

Q You are positive of that? A. Yes, sir.

Q At the time this man fell down Falk was not there? A. No, sir; I said three of them; there is another man but I don't see him here now, one man walked towards the blacksmith's shop, I couldn't tell who it was.

By Mr. Schloss:-

Q Were you acquainted with these men - did you ever see them before? A. I seen them walking by the engine house in front of the blacksmith's shop.

Q How many men were in that yard? A. Four is all I seen.

Q Four men? A. Yes, sir.

Q And amongst those four you recognize how many? A. 2 of those gentlemen were there.

Q Who had the sticks in their hands? A. I couldn't tell.

Q -- Didn't you say on your direct examination you saw three men with sticks in their hands? A. I said I seen them making motions as if firing sticks.

Q Did they make expressions of violent language?

A. One said, "You sons-of-bitches, I am in it all night."

-----oOo-----

0874

A. About seventy-five.

Q And where were these seventy-five? A. Right around this yard.

Q In the yard? A. Yes.

Q Why do you use the word around? A. All around.

Q Did you notice the condition of the yard - were there utensils there or was the yard clean? A. No, sir; old wagons, parts of wheels and all kinds of rubbish.

Q Did you notice the condition of any of the other men - were they any ~~bruises~~ bruises on them? A. I didn't see any.

Q Did you see any sticks in any other persons hand?

A. No, sir.

-----oOo-----

Wise

WILLIAM ~~WILD~~, I am attached to Engine No. 40;

I was sitting in the back of the engine house on the night of this occurrence and I heard some loud talking out in the rear, the rear house extends back in the yard of the blacksmith's shop, there is a ladder there you can go up on and get on the roof; I went up the ladder and in the meantime I was on the roof the foreman came out and said there is a fight over there; I walked back to the little stable like on the side of the engine house and I stood on it and there were three men in the yard in shirt sleeves and they were

JOSEPH P. GREEN, duly sworn, testified:

I am attached to Engine No. 40.

By the Coroner:-

Q Tell the gentleman what you know about it? A. I was in bed when this occurrence took place, on Saturday evening, and I was awakened by that gentleman in the yard hollering out, "I am with you sons-of-bitches; I am wid you." I got on the extension in the rear of the house, there are stables and sheds and water closet and you can go right across from this extension; this occurrence took place; that gentleman there and another man and this man's brother, Maili's brother, they were over on the morning where Maili lived and he was doing all the hollering and every time he would holler he would fire a stick and Bonestele was with him and Maili's wife said you had better come in ~~xxxxxxx~~ and mind your own business; he said, "I want you to close that door, you God damned old Bitch and mind your own business." And this man everytime he took a stick - two men ran behind a wagon, his brother was coming across this way in the direction of the water closet when he fell; when he was struck in the head it sounded as if you blow a paper bag up and burst it, and when I called his attention to it that he was lying on the ground he didn't pay any attention; he turned around and said, "If the son-of-a-bitch was not in the way he would not have got hit;" I asked him the second time and he said it is my brother; he said I know who hit him; afterwards when I accused him he admitted firing one stick; I didn't see Maili firing any sticks.

never made confession

Q Did you see the first man there (indicating)
A. No, sir; I didn't see him until Officer Thompson had him in the yard afterwrds; Officer Thompson had that man and that man Maili.

-----oOo-----

OFFICER THOMPSON, recalled:-

By the Coroner:-

Q How did you come to arrest Maili? A. They said Falk threw the stick, Bonestele said.

By Counsel:-

Q Did you see Falk have any stick inside? A. No, sir.

Q Do you know whether he was in there at the time these sticks were thrown? A. No, sir;

Q You related all that you know about it?
A. Yes, sir.

By Mr. Schloss:-

Q Were you acquainted with Falk? A. Only from seeing him pass the engine house; I never spoke to him.

Q Are you positive he said he knew who threw the stick? or I seen him hit? A. I know who hit him.

By a Juror:-

Q Do you know what size of the sticks were? A. I couldn't say - some threw sticks or stones, I couldn't tell the size of them.

By Mr. Schloss:-

Q Can't you tell the difference between sticks and stones?

A If you see it.

Q Didn't you see it? A. You cannot see what is thrown; I cannot see anything flying in the air at night time.

-----oOo-----

MAGDALENA BOHN, duly sworn, testified:-

I live No. 149 West 68th Street.

By the Coroner:-

Q Tell the gentlemen what you know about it? A. I was in my room; I didn't see the fight only I heard it, because I didn't fall very well, I looked out of the window and after that I came down stairs and some fellows were playing around; I had to go down and lock my hall door, I was afraid the fellows would come in, and it was late at night, and I went down and locked the back door and woke up the people down stairs; Mr. Falk's mother; I said, I don't want to have them fellows in; I found Henry Falk in his own room downstairs; I said, there is a fight in Maili's there; he said, where, I said Maili's yard, he went out and the most fight was over and his father and mother came out and went upstairs and we came behind there and Freddy Bomstale was lying there on the ground; that is all I know I heard only firing, some sticks and pails, it was next to the carpenter's fence; I couldn't say who it was or who did it.

By Counsel:-

Q The fight was mostly over when Falk got to the house?

A. Yes, sir.

-----oOo-----

DOROTHEA MAILI, duly sworn, testified:-

I live on the West Boulevard, between 68th and 69th Streets; we keep a blacksmith's and wheelwright place there. All these men were more or less drunk, and they made a great deal of noise and drank considerable beer and the fight commenced about this drinking of beer -

By the Coroner:-

Q Confine yourself to what you saw of the fight, did this man throw any sticks (Falk)? A. This man I cannot say, he was in the fight, but he was near by.

Q -Were these three people together in the yard?

A. There was a fight outside and one of them threw a pail

at Frederick Bonestele.

Q State again in English, without an interpreter what you saw of this? A. This Mr. Schreiber, Mr. Duer and another man, his name is Philip, they come up and asked me if I wanted to go to Ridgewood with him, it was his birthday; and then our George came in our kitchen -

Q Who was that? A. My son, he came in the kitchen and said, he said, come up here, Fred has got an accordion, and they were sitting there until ten o'clock, and then the five men together went out the back door; Schreiber, Duer and our George and another man went to the beer saloon; after that they came back and went up the hill and on the hill they were standing on the corner - this young man -

Q Which young man, Falk? A. Yes, sir.

Q Which young man? A. Fritz Brown that was his name; they were standing there and Fritz began to growl right away, there was something said in the beer saloon before and then they were fighting and I looked out the front door and I seen Fritz took his coat off and threw it in our wagon and I said, Fritz, it is a shame, you want to fight here.

Q Did you see them throw any sticks? A. Billy came up right away I saw Billy Bonestele throw a pail at Falk and then Billy took his brother and brought him in our room; and this young man was standing there with a stick and hit him in the head and he fell.

Q This young man? A. Falk; he said Oh, George, he said and another man threw a piece of wood on his chest; I saw no fireman and nothing; there was nobody there then and I called and said may be he is dead and somebody asked for water.

By Counsel:-

Q This is your boy? A. Yes.

Q Was he there? A. He was on the Boulevard; he was not in the yard when the fight was.

Q The fight started in the beer saloon? A. I don't know.

Q Did they go back to find out? A. I don't know; I heard so, they were fighting.

Q They went back? and A. On the Boulevard.

Q Henry Falk was not with them in the beer saloon? A. Yes.

Q I thought you said Falk and somebody else stood on the corner? A. They came up the hill and he was on the corner -

Q Your boy did not do anything at all? A. He came up the Boulevard, and he asked who is that and somebody answered Fritz.

Q You seen Falk have a stick in his hand? A. Yes.

Q You seen this fireman there? A. No, sir.

Q You were the only one in the yard? A. I was on the stoop.

Q How far from the yard? A. Right in the yard.

Q Did you see everything that occurred? A. I can see everything.

Q Did you see any person then that had any sticks in their hand? A. They threw some things, but I don't know; I saw Willie throw a pail at Falk.

Q Did you see anybody else throw any sticks or missiles of any kind? A. No, sir.

-----oOo-----

The Coroner: Gentlemen of the Jury, the deceased evidently came to his death from a blow on the head; it was on May 23rd, and he received a fracture of the skull. From the testimony here it is evident that one of the three prisoners did it.

-----oOo-----

VERDICT:

0879

B 133
3 cop. Coroners Office, New York County.

Inquest into the death
- of -
FREDERICK BONESTELE.

) Before
) HON. LOUIS W. SCHULTZE,
) and a Jury.

New York, May 28th, 1891.

Appearances: Messrs. Purdy & McManus appear for Henry Falk; one of the prisoners; Mr. Schloss, appears for William Bonestele.

-----oOo-----
OFFICER MATHEW NEHEALY, duly sworn, testified:

I am attached to the 23rd Precinct; about 11 P. M. on the 23rd instant I was corner of 67th Street and 10th Avenue and a citizen came up and told me there was a fight on the Boulevard between 68th and 69th Streets; I went down there and the fight was all over and the deceased was on the ground with a deep gash in his head;

I asked who hit him and George Hill and William Bonestele accused William Falk or Henry Falk.

Q What is his name? A. Henry Falk.

We got Henry Falk and we asked William Bonestele and George Miller if they were in the fight and William Bonestele said he drew one stick and I locked them all up for being implicated in it; I went for an ambulance and left them in charge

of Officer Thompson.

By Mr. Schloss:-

Q Whereabouts was this you saw the deceased on the ground?

A. About twenty feet off the Boulevard, between 68th and 69th Streets.

Q And this yard you speak of is a black-smith's yard?

A. It is a black-smith's yard, he used it for wagons.

Q What conversation did you have with the deceased, if any?

A. ~~Excuse me~~ I didn't have any conversation with the deceased.

Q Was he dead when you arrived? A. No, sir.

Q Didn't you ask him any questions? A. He couldn't speak; I asked him questions, he didn't say anything; I received no reply; he never regained consciousness.

-----oOo-----

OFFICER JAMES THOMPSON, duly sworn, testified:

I am attached to the 90th Precinct. I heard the cry of this man Bonestale on the Boulevard and I went there and found the deceased lying on the ground with this wound on the back of his head; Officer Kencaly came and told me to arrest this man Falk and these other two; that is all I saw of it.

Q You didn't see any blows struck? A. No, sir.

By Mr. Schloss:-

Q How many persons were present to your knowledge?

0001

A. About seventy-five.

Q And where were these seventy-five? A. Right around this yard.

Q In the yard? A. Yes.

Q Why do you use the word around? A. All around.

Q Did you notice the condition of the yard - were there utensils there or was the yard clean? A. No, sir; old wagons, parts of wheels and all kinds of rubbish.

Q Did you notice the condition of any of the other men - were they any ~~in~~ bruises on them? A. I didn't see any.

Q Did you see any sticks in any other persons hand?

A. No, sir.

-----oOo-----

Wise
WILLIAM WILD, I am attached to Engine No. 40;

I was sitting in the back of the engine house on the night of this occurrence and I heard some loud talking out in the rear, the rear house extends back in the yard of the blacksmith's shop, there is a ladder there you can go up on and get on the roof; I went up the ladder and in the meantime I was on the roof the foreman came out and said there is a fight over there; I walked back to the little stable like on the side of the engine house and I stood on it and there were three men in the yard in shirt sleeves and they were

firing sticks; the deceased was twenty-five or thirty feet ahead of them.

Q How many people were in the yard? A. Three men and the deceased.

Q They were firing sticks? A. Yes, sir; they were firing sticks and all of a sudden I heard a cry as though it was a bang, with that this man was about two feet opposite the water closet, and he dropped and I said to Foreman Greene, I said, there is a fellow dropped. I hollered to this man there, he claimed that he was his brother, I said look at this man there, see if he is hurt, and so did the other fireman, and he came back and Greene said who is it; he said it is my brother; he said, "The son-of-a-bitch, if he was not in the way, he would not have got hit." I said that is a way nice to talk about your brother. I said, to the assistant foreman we had better send out for an ambulance.

Q Did anybody say who hit him? A. I don't know - I didn't know, he said, "I know who hit him." The brother said he knew who hit him; that is all he said. He said I know who hit him. I hollered to Foreman Greene to call the Assistant Foreman and send out an ambulance call.

Q What was the character of those people around there in that neighborhood?

Objected to.

Q Did you ever see them before? A. I seen them walking by the door of the engine house; I was only there a short while.

-By Counsel:-

Q Do you know those three men that were in there at the time? A. There is two of them there now -

Q Was this defendant there? A. No, sir.

Q You are positive of that? A. Yes, sir.

Q At the time this man fell down Falk was not there?

A. No, sir; I said three of them; there is another man but I don't see him here now, one man walked towards the blacksmith's shop, I couldn't tell who it was.

By Mr. Schloss:-

Q Were you acquainted with these men - did you ever see them before? A. I seen them walking by the engine house in front of the blacksmith's shop.

Q How many men were in that yard? A. Four is all I seen.

Q Four men? A. Yes, sir.

Q And amongst those four you recognize how many? A. 2 of those gentlemen ~~was~~ there.

Q Who had the stocks in their hands? A. I couldn't tell.

Q Didn't you say on your direct examination you saw three men with sticks in their hands? A. I said I seen them making motions as if firing sticks.

Q Did they make expressions of violent language?

A. One said, "You sons-of-bitches, I am in it all night."

-----oOo-----

JOSEPH P. GREEN, duly sworn, testified:

I am attached to Engine No. 40.

By the Coroner:-

Q Tell the gentleman what you know about it? A. I was in bed when this occurrence took place, on Saturday evening, and I was awakened by that gentleman in the yard hollering out, "I am with you sons-of-bitches; I am wid you." I got on the extension in the rear of the house, there are stables and sheds and water closet and you can go right across from this extension; this occurrence took place; that gentleman there and another man and this man's brother, Maili's brother, they were over on the morning where Maili lived and he was doing all the hollering and every time he would holler he would fire a stick and Bonestale was with him and Maili's wife said you had better come in ~~in~~ and mind your own business; he said, "I want you to close that door, you God damned old Bitch and mind your own business." And this man everytime he took a stick - two men ran behind a wagon, his brother was coming across this way in the direction of the water closet when he fell; when he was struck in the head it sounded as if you blow a paper bag up and burst it, and when I called his attention to it that he was lying on the ground he didn't pay any attention; he turned around and said, "If the son-of-a-bitch was not in the way he would not have got hit;" I asked him the second time and he said it is my brother; he said I know who hit him; afterwards when I accused him he admitted firing one stick; I didn't see Maili firing any sticks.

Q Did you see the first man there (indicating)?

A. No, sir; I didn't see him until Officer Thompson had him in the yard afterwards; Officer Thompson had that man and that man Maili.

-----oOo-----

OFFICER THOMPSON, recalled:-

By the Coroner:-

Q How did you come to arrest Maili? A. They said Falk threw the stick, Bonestale said.

By Counsel:-

Q Did you see Falk have any stick inside? A. No, sir.

Q Do you know whether he was in there at the time these sticks were thrown? A. No, sir;

Q You related all that you know about it?

A. Yes, sir.

By Mr. Schloss:-

Q Were you acquainted with Falk? A. Only from seeing him pass the engine house; I never spoke to him.

Q Are you positive he said he know who threw the stick? or I seen him hit? A. I know who hit him.

By a Juror:-

Q Do you know what size of the sticks were? A. I couldn't say - some threw sticks or stones, I couldn't tell the size of them.

By Mr. Schloss:-

Q Can't you tell the difference between sticks and stones?

A. If you see it.

Q Didn't you see it? A. You cannot see what is thrown; I cannot see anything flying in the air at night time.

-----000-----

MAGDELINA BOHN, duly sworn, testified:-

I live No. 149 West 68th Street.

By the Coroner:-

Q Tell the gentlemen what you know about it? A. I was in my room; I didn't see the fight only I heard it, because I didn't fall very well, I looked out of the window and after that I came down stairs and some fellows were playing around; I had to go down and lock my hall door, I was afraid the fellows would come in, and it was late at night, and I went down and locked the back door and woke up the people down stairs; Mr. Falk's mother; I said, I don't want to have them fellows in; I found Henry Falk in his own room downstairs; I said, there is a fight in Maili's there; he said, where, I said Maili's yard, he went out and the most fight was over and his father and mother came out and went upstairs and we came behind there and Freddy Bornstole was lying there on the ground; that is all I know I heard only firing some sticks and pails, it was next to the carpenter's fence; I couldn't say who it was or who did it.

By Counsel:-

Q The fight was mostly over when Falk got to the house?

A. Yes, sir.

-----000-----

DOROTHEA MAILI, duly sworn, testified:-

I live on the West Boulevard, between 68th and 69th Streets; we keep a blacksmith's and wheelwright place there. All these men were more or less drunk, and they made a great deal of noise and drank considerable beer and the fight commenced about this drinking of beer -

By the Coroner:-

Q Confine yourself to what you saw of the fight, did this man throw any sticks (Falk)? A. This man I cannot say, he was in the fight, but he was near by.

Q Were these three people together in the yard?

A. There was a fight outside and one of them threw a pail

at Frederick Honestale.

Q State again in English, without an interpreter what you saw of this? A. This Mr. Schreiber, Mr. Duer and another man, his name is Philip, they come up and asked me if I wanted to go to Ridgewood with him, it was his birthday; and then our George came in our kitchen -

Q Who was that? A. My son, he came in the kitchen and said, he said, come up here, Fred has got an accordion, and they were sitting there until ten o'clock, and then the five men together went out the back door; Schreiber, Duer and our George and another man went to the beer saloon; after that they came back and went up the hill and on the hill they were standing on the corner - this young man -

Q Which young man, Falk? A. Yes, sir.

Q Which young man? A. Fritz Brown that was his name; they were standing there and Fritz began to growl right away, there was something said in the beer saloon before and then they were fighting and I looked out the front door and I seen Fritz took his coat off and threw it in our wagon and I said, Fritz, it is a shame, you want to fight here.

Q Did you see them throw any sticks? A. Billy came up right away I saw Billy Honestale throw a nail at Falk and then Billy took his brother and brought him in our room; and this young man was standing there with a stick and hit him in the head and he fell.

Q This young man? A. Falk; he said Oh, George, he said and another man threw a piece of wood on his chest; I saw no fireman and nothing; there was nobody there then and I called and said may be he is dead and somebody asked for water.

By Counsel:-

Q This is your boy? A. Yes.

Q Was he there? A. He was on the Boulevard; he was not in the yard when the fight was.

Q The fight started in the beer saloon? A. I don't know.

Q Did they go back to find out? A. I don't know; I heard so, they were fighting.

Q They went back? and A. On the Boulevard.

Q Henry Falk was not with them in the beer saloon?

A. Yes.

Q I thought you said Falk and somebody else stood on the corner? A. They came up the hill and he was on the corner -

Q Your boy did not do anything at all? A. He came up the Boulevard, and he asked who is that and somebody answered Fritz.

Q You seen Falk have a stick in his hand? A. Yes.

Q You seen this fireman there? A. No, sir.

Q You were the only one in the yard? A. I was on the stoop.

Q How far from the yard? A. Right in the yard.

Q Did you see everything that occurred? A. I can see everything.

0006

Q Did you see any person then that had any sticks in their hand? A. They throw some things, but I don't know; I saw Willie throw a pail at Falk.
Q Did you see anybody else throw any sticks or missiles of any kind? A. No, sir.

-----oOo-----
The Coroner: Gentlemen of the Jury, the deceased evidently came to his death from a blow on the head; it was on May 18rd, and he received a fracture of the skull. From the testimony here it is evident that one of the three prisoners did it.

-----oOo-----
VERDICT:

0887

~~W. J. Taylor~~
P. M.
Bono tail

0000

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Henry Zotta and
Fritz Brunner.

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

Henry Zotta and Fritz Brunner
of the CRIME OF Manslaughter in the 2nd Degree, committed as follows:

The said Henry and Fritz,

on the Twenty-Ninth day of May, in the year of our Lord one thousand eight hundred and ninety-one, at the City of New York, in the County of New York, aforesaid, in and upon one Frederica Bonetade then and there being, wilfully and feloniously did make an assault, and - him, - the said - Frederica, - with a certain Lida which they the said Henry and Fritz then and there had and held in their hands, in and upon the head of him the said Frederica, - then and there wilfully and feloniously did strike, beat, and wound, giving unto him the said Frederica, then and there, with the Lida aforesaid, in and upon the head - of him the said - Frederica, - one mortal wound and fracture, of which said

mortal wound ~~and~~ ~~of~~ ~~the~~ ~~said~~ ~~Fredenda,~~ —
 at the City and County aforesaid, from the day first aforesaid, in the year aforesaid, until the
~~fourteenth~~ ~~day~~ ~~of~~ ~~May,~~ — in the same year aforesaid,
 did languish, and languishing did live, and on which said ~~fourteenth~~ ~~day~~ ~~of~~
~~May,~~ in the year aforesaid, ~~she~~ the said ~~Fredenda,~~ —
 at the City and County aforesaid, of the said mortal wound ~~and~~ ~~of~~ ~~the~~ ~~said~~ ~~Fredenda,~~ did die.

And so the Grand Jury aforesaid do say: That the said
~~Henry and Philip, Jr.,~~ —
 the said ~~Fredenda,~~ — in the manner and form, and by
 the means aforesaid, wilfully and feloniously did kill and slay, 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.

~~D. Bancroft~~
~~JOHN R. FELLOWS,~~

District Attorney.

0890

BOX:

443

FOLDER:

4086

DESCRIPTION:

Farbish, Max

DATE:

07/08/91



4086

Friday

Witnesses:

Santolo
Amphel H
Officer P.A.

*Depth increased
to the back of
the house at
Refugee Point
July 15th 1891
See paper written
P.S.*

#41

M.W.H.

Counsel,
Filed *8* day of *July* 1891
Pleas, *6*

Max Farbish
THE PEOPLE vs. *Max Farbish*
vs. *Max Farbish*

Grand Larceny (Second Degree).
[Sections 526, 531 — Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A True BILL.

Richard J. Car
July 9, 1891
James G. Ledy
Prop Secy P.A.
July 17th 1891

0892

Police Court— 4 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 49 Bowery Street, aged 30 years,
occupation Keep a Billiard Hall being duly sworn
deposes and says, that on the 29 day of June 1891, 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:

One set of pool balls of
the value of Sixty dollars

(\$60.00)

the property of Dependent

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 Max Parkish (now) who is this deponent's nephew.
From the fact that the said
deponent slept in deponent's
place of business on the night
of the above mentioned date. and
on the following morning deponent
discovered that the deponent and
said property was missing, and
after the deponent's arrest in open
Court in the presence and hearing
of deponent and Officer Thruener
he admitted that he did feloniously
take and carry away said
property.

Max S. Parkish

Sworn to before me, this
18 91 day
of June
1891
Police Justice.

0093

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

May Parkish 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. *May Parkish*

Question. How old are you?

Answer. *17 years old*

Question. Where were you born?

Answer. *New York State*

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

Answer. *Philadelphia Pa. 16 years*

Question. What is your business or profession?

Answer. *Nothing*

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
May Parkish*

Taken before me this

[Signature]
188

Police Justice.

0894

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

*Coroner of the City &
County of New York.*

Dear Sir:
Max. Farn-

*bish is now in our custody.
We desire to thank you for your
kindly consideration for the
boy and also for the courtesy
extended to the representative
of our Institution.*

Yours very Respectfully

*Wm Douglas
Acting Supt.*

0895

Police Court-- X District. 867

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Max S. Farber
49. Boney
Max Farber

offense violen
felony

1 _____
2 _____
3 _____
4 _____

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated July 1 1891

Murray Magistrate.

Thomas Malme Officer.

21 Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 500 to answer GS



Cur 9/2

0896

House of Refuge Philadelphia, April 8 1891.
To Max Harbick

THE Letter from the Board of Managers, handed you with this card, states the conditions on which they have permitted you to leave the house for a term of six months, as a further trial of your good conduct.

FIRST.—You, if possible, or your parent or guardian, are required to write to me on the first day of each month, a full account of your condition, as stated in the letter.

SECOND.—On the afternoon of Wednesday, Oct. 9, 1891 (if living in the city), you are required to appear before the Visiting Committee at the House of Refuge, who will then determine whether the trial of your conduct is to continue or to cease.

I hope you will keep this card always before you, and obey the kind admonitions contained in the letter of the Managers.

Your Friend,

J. Hood Laverty
Superintendent.

0897

SUPERINTENDENT'S OFFICE,
HOUSE OF REFUGE,
TWENTY-THIRD AND PARRISH STS.

Philadelphia, July 15th 1891

The Bearer Robert W. Jebb - an officer of the House of Refuge of Philadelphia, is hereby fully authorized and empowered - to represent this Institution and to do whatever may be necessary to be done, to secure the discharge of Max Parbush, now in custody in New York on the charge of Larceny - and to return him to the care of this House.

Please accord him whatever assistance he may need in carrying out the object of his mission and the necessary permission to facilitate the release of the boy.

Very respectfully,

Chas. Douglass
Acting Deput

To the District Attorney
City and County of New York }

0898

HOUSE OF REFUGE.

Philadelphia July 2nd, 1891.

Mr. HERMAN FARBISH.

My Dear Sir:- It was with great surprise and feelings of sadness, that I heard yesterday, of Max's arrest in New York upon a serious charge.

His universally good conduct while an inmate in this Institution, coupled with the fact, that all the reports had of him since, up to the present trouble, had been entirely satisfactory; (representing him as doing well, and his conduct beyond reproach) lead us to hope and believe, he would grow up to be a credit to his parents and friends.

We of course cannot interfere with the course of the Law, or protect him from the consequences of his misdeeds while ~~in~~^a resident of another State; but I am authorized to say, that if his Uncle sees fit to withdraw the charge against Max; or the Judge, when the case comes to trial, is willing for any reason to release him, we will receive him again into this Institution and in that way, and to that extent, relieve the state of New York of his care and support.

You can make this representation to the Court if you choose. This offer is made in view of the boy's good reputation here, and because the six months probation under which he was discharged has not yet expired, so that he is virtually, still under the care of the House of Refuge of Philadelphia.

By order of the President,

Lewis L. Haupt
visiting agent

0899

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Max Farbish

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *Max Farbish*

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

The said *Max Farbish*

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

*sixteen pool balls of the value
of three dollars and seventy-five
cents each*

of the goods, chattels and personal property of one *Max S. Farbish*

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.

*De. Lancy Nicoll,
District Attorney.*

0900

BOX:

443

FOLDER:

4086

DESCRIPTION:

Farrell, Thomas

DATE:

07/14/91



4086

0901

No. 3

Mrs. #63

Witnesses:

deaf for office.

Counsel,

Filed 14 day of July 1891
Pleads, J. R. Kelly

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

THE PEOPLE

vs.

Thomas Farrell

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Richard L. Coe

Foreman.

July 23 1891

Pleas A. & ag.

J. W. S. Mrs. J. W.

July 24/91. Ed 24

0902

Police Court _____ District.

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

Nicola Barretto

of No. *57 Mulberry* Street, aged *47* years,
occupation *Saborer* being duly sworn

deposes and says, that on *2nd* day of *July* 18*91* at the City of New
York, in the County of New York, in front of No *57 Mulberry St*

he was violently and feloniously ASSAULTED and BEATEN by *Thomas Farrell*
(now here) who did then and there stab
deponent in the back with some sharp
instrument which deponent held in
his 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 dealt with according to law.

Sworn to before me, this *2* day }
of *July* 188*9* } *Nicola Barretto*

D. J. C. Reilly Police Justice.

0903

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas Farrell 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. *Thomas Farrell*

Question. How old are you?

Answer. *24 yrs*

Question. Where were you born?

Answer. *Pa.*

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

Answer. *Scranton Pa*

Question. What is your business or profession?

Answer. *Miner*

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*
his
Thomas Farrell

Taken before me this

Day of *July* 1897

J. P. Kelly
Police Justice.

0904

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 *fifteen* 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 2* 18*91* *Pa. J. C. [Signature]* Police Justice.

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

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

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

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

0905

863

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Nicola Barretto
59. Noulbury St
Thomas Farrell

Felonious Assault
Offence

1
2
3
4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *July 2* 1891

O'Keilly Magistrate.

McDonald Officer.

6 Precinct.

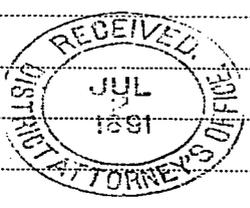
Witnesses

No. Street.

1500 to answer *G. S.*

COMMITTED.

Keilly



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas Farrell

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

Thomas Farrell

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

The said Thomas Farrell

late of the City of New York, in the County of New York aforesaid, on the second day of July, 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 Nicolo Berratto in the peace of the said People then and there being, feloniously did make an assault and to, at and against him the said Nicolo Berratto with a sharp instrument to the Grand Jury aforesaid unknown a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said Thomas Farrell in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there strike, stab, cut and wound, with intent him the said Nicolo Berratto 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

Thomas Farrell

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

The said Thomas Farrell

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 Nicolo Berratto in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against him the said Nicolo Berratto, with a certain sharp instrument to the Grand Jury aforesaid unknown, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said Thomas Farrell 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, stab, cut and wound, shoot off and discharge, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS, District Attorney.

0907

BOX:

443

FOLDER:

4086

DESCRIPTION:

Feis, Oscar

DATE:

07/23/91



4086

0908

BOX:

443

FOLDER:

4086

DESCRIPTION:

Collins, William

DATE:

07/23/91



4086

0909

104
Counsel, *Berlin*

Filed *23* day of *July* 1891
Plenty, *At City*

THE PEOPLE
vs.
I
Oscar Tris
and
William Collins

Robbery in the
(MONEY)
degree.
[Sections 224 and 228, Penal Code.]

De Sancey Tholl

District Attorney.

Wm. H. ...
Aug 5, 1891

A True Bill.

Amulph ...

Aug 17, 1891

(Seal)

Read ...

Each ...

Witnesses;

0910

Police Court District.

CITY AND COUNTY }
OF NEW YORK, } ss

John Clarke
of No. *492 Second Avenue*, Aged *37* Years
Occupation *Steward* being duly sworn, deposes and says, that on the
18th day of *July* 1891, at the Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

*About forty dollars in money
of the United States.*

of the value of *DOLLARS,*
the property of *deponent*

and that this deponent has a probable cause to suspect, and does suspect, that the said property was
feloniously taken, stolen, and carried away, by force and violence as aforesaid by

Oscar Feis and William Collins
both (now here) who were in company
with each other and acting in
concert for the purpose that deponent
was passing through East 26th
Street, and deponent was intoxicated.
Deponent had said money in a pocket
of the pantaloons then worn on his
person. Deponent was suddenly held
and by force and violence said
money was taken from deponent's
person. Deponent is informed by
James O'Connor (now here) that he

day of

Sworn to before me, this

188

Police Justice.

0911

saw deponent on said street in the night time and saw the defendants in company with each other following deponent and saw Ferris and Collins push deponent against a railing and saw Collins hold deponent and said Ferris violently insert his hand into deponent's pocket. He O'Connor pursued deponent the defendants and caused their arrest

Sworn to before me }
19th day of July, 1891 } J. M. Clarke
W. D. ... }
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 Twenty 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 _____ 1891
I have admitted the above named _____
to bail to answer by the undertaking hereto annexed.
Dated _____ 1891
There being no sufficient cause to believe the within named _____
guilty of the offense within mentioned, I order he to be discharged.
Dated _____ 1891
Police Justice.

Police Court, _____ District, _____
THE PEOPLE, &c.,
on the complaint of _____
1. _____
2. _____
3. _____
4. _____
Dated _____ 1891
Magistrate, _____
Officer, _____
Clerk, _____
Witnesses, _____
No. _____ Street, _____
No. _____ Street, _____
No. _____ Street, _____
§ _____ to answer General Sessions.

0912

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 16 years, occupation Messenger of No.

237 East 75th Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of John Clarke

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

Sworn to before me, this 19 day of July 1899 }
James J. [Signature]

[Signature]
Police Justice.

0913

Sec. 108-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Oscar Feis

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.

Oscar Feis

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

New York

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

Answer.

309 East 3rd Street; 2 years

Question. What is your business or profession?

Answer.

Clothing cutters

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

Oscar Feis

Taken before me this 19

day

July

1891

W. J. ...

Police Justice

0914

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 *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 *July 19* 18 *91* *W. T. M. M. M. M. M.* Police Justice.

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

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

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

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

0915

1624
Police Court--- 4 / District. 934

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Clarke
499 2nd Ave
Oscar Feis
William Collins

Robbery
Offence

3
4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated July 19 1891
Mahoney Magistrate.

Flaherty Officer.
18th Precinct.

Witnesses James J. Conroy
No. 232 E. 75 Street.

officer
No. Street.

No. Street.

§ 2000 to answer G.S.

Com

0916

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Oscar Lewis and William Rodin

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

Oscar Lewis and William Rodin

of the crime of ROBBERY IN THE 2nd DEGREE, committed as follows:

The said Oscar Lewis and William Rodin

late of the City of New York, in the County of New York aforesaid, on the 10th day of July - in the year of our Lord one thousand eight hundred and eighty-nine, in the

time of the said day, at the City and County aforesaid, with force and arms, in and upon one John Madue, in the peace of the said People then and there being, feloniously did make an assault, and two promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each; four promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each; eight promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each; twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each; forty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each; two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each; four promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each; eight promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each; two United States Silver Certificates of the denomination and value of twenty dollars each; four United States Silver Certificates of the denomination and value of ten dollars each; eight United States Silver Certificates of the denomination and value of five dollars each; twenty United States Silver Certificates of the denomination and value of two dollars each; forty United States Silver Certificates of the denomination and value of one dollar each;

\$40.-

0917

Two United States Gold Certificates of the denomination and value of twenty dollars each; Two United States Gold Certificates of the denomination and value of ten dollars each; eight United States Gold Certificates of the denomination and value of five dollars each; and divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of Ten dollars.

of the goods, chattels and personal property of the said John Pladue, —
from the person of the said John Pladue, — against the will,
and by violence to the person of the said John Pladue, —
then and there violently and feloniously did rob, steal, take and carry away, the said
Oscar Klein and William Robbins, and
each of them, being then and there
aided by an accomplice actually present,
to wit: each of the other: —

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
~~JOHN R. FELLOWS~~

District Attorney.

09 18

BOX:

443

FOLDER:

4086

DESCRIPTION:

Ferguson, Mary A.

DATE:

07/14/91



4086

0919

BOX:

443

FOLDER:

4086

DESCRIPTION:

McBride, Mamie

DATE:

07/14/91



4086

0920

BOX:

443

FOLDER:

4086

DESCRIPTION:

Twohill, Philip

DATE:

07/14/91



4086

0921

POOR QUALITY ORIGINAL

Case No. 3
Bail reduced by
Court of District to
\$1000

Witnesses:
Aug 14/91 RBC
CJ

In the within case
which has already
been tried as to left
Twobill and the court
directing an acquittal
I find that the people
can offer no new evidence
and as others had full
opportunity to commit
the alleged crime the rule
as laid down in the former
trial will apply as to
the left Ferguson and
McBride. I therefore
recommend that the
indictment be returned
March 1st from
Dec 7th A. R. West City
1891

~~73~~
Counsel, ~~W. J. ...~~
Filed 14 day of July 1891
#3 Pleads, Not Guilty (10)
1st of ...

THE PEOPLE

vs.

no. 1
Mary A. Ferguson
no. 2
Naniet Mc Bride
no. 3
and
Philip Twobill

Grand Jurors, Jurat Degree,
Penal Code,
Sections 638, 639

Part 2 - Sept 11, 1891 District Attorney
vs. 3 Trial and Acquittal

A True Bill.

[Handwritten signatures and notes, including "Foreman" and "1891"]

0922

POOR QUALITY ORIGINAL

Bail reduced by Court of District to \$1000

Witnesses:

Aug 17/91 RBC

Wm. J. McLaughlin
Counsel,

Filed 14 day of July 1891

#3 Pleads, Not Guilty (w/)

THE PEOPLE

vs.

Mary A. Ferguson

Mariam Mc Bride

and
Philip Twohill

Grant Degree, Penit Code, Sections 538, 539

Part 2 - Sept 11, 1891 District Attorney

No. 3 Trial and Verdict

A True Bill

In the within case which has already been tried as to Sept Twohill and the Court directing an acquittal I find that the people can offer no new evidence and as others had full opportunity to commit the alleged crime the rule as laid down in the former trial will apply as to the apts Ferguson and Mc Bride. I therefore recommend that the indictment be dismissed.

Wm. J. McLaughlin
Dec 7th A. A. Dist Ct
7/1891

Handwritten signatures and notes including 'Foreman' and 'Committee'.

0923

Police Court
Second Dist

The People vs
James J. Casey

Mary A. Ferguson
Mamie Mc Bride
Philip Furbill

Examination Before Judge Mc Labor June 24/91

James J. Casey, the complaining witness
being examined by the court before
and says my name is James J.
Casey. I am living at Beeths
Hotel 1295 Broadway. I am my
business in the restaurant business.

Q On the 13th day of June 1891
did you lose any money?

A Yes in three thousand dollars
in money.

Q Your property?

A Yes.

Q Do you know who took it?

A Yes; these two girls and this
man - one or the other. The three
of them were there in the room.

Q Tell me all the circumstances

of the case.

A I went in there in this house
some time in the forenoon,
and stayed with them a
while. Then I went out
and came back in the after-
noon. I saw three more fellows
there. They went away about
10 o'clock. This man and
those two girls remained in that
room all the forenoon. We got
to lifting chairs - one thing
and another. This girl down
the Lizzie Coffey came in
about 5 o'clock and remained
until 8. As she was going
I shook hands with her. That
is the last I remember. The
money was taken afterwards
between 8 and half past nine.

Q When did you last see your
money?

A That was before 8 o'clock.

Q When did you miss it?

A At 11 o'clock at night.

Q Were these people in the room all the time?

A Yes sir, when I woke up they had left the place and had left the their clothes there and every thing, and I have not been there back since.

Q How do you know that?

A I have been there every day.

Q They never came back?

A Never came back, neither one.

Continued by Mr. Mr. Taylor
Counsel for Defendant

Q You did not see anybody take your money?

A No.

Q When you went to sleep Lizzie Gaffney was not there?

A No sir.

Q Who were there?

A This man and there two girls.

Q You saw no one take your

Money?

A No Sir

Q You don't know who took it? You did not see anybody take it?

A No

By the court

Q (A piece of paper produced by Officer Gandy) Did you see this piece of paper before?

A Yes that's the envelope that Lady ^{part of the} ~~is~~ ^{is} in it.

Q Do you know where that envelope was found?

A Yes Sir. ^{The detective} I found it under the lounge.

Q How do you know?

A I had the detective there on Sunday morning.

Q Do you identify the signature that you wrote on it?

A Yes.

Q You did not go out?

A No. I was sitting on the

lounge. These girls were sitting
one on one side and one
on the other side. One ^{went} ~~was~~
in the next room with the
man

Q When you went to sleep in
the room this man and the
two women were there?

A Yes Sir

Q Anybody else?

A No Sir

Q Was Lizzie Coffey there?

A No. He went. I shook hands
with Lizzie Coffey. He left
and I put her good bye

Q When did you get the \$19000

A I got it in the restaurant
business

Q Where?

A Boston

Q What places?

A Three places.

Q Were you in partnership with
anyone?

5 A No

Q Where were your places?

A 37 Aubury St. 16 Portland
Street and 90 Friend Street.

Q Was it out of these three
places that you got the
money?

A Yes Sir.

Q By the sale

A No. I made it. I had
ten thousand dollars
when I left there.

Q You had \$3000 when you
went into this place?

A Yes Sir.

Q What was your business in
going there?

A I went in with a party

Q Who

A He was stopping at the
Hotel

Q Who was he?

A I do not know his
name. They call him
Counselor.

6 Q How long before they had

You know the Counsellor?

A He stopped at the hotel

Q What Hotel?

A Scotts 1275 Broadway Corner
of 32nd Street

Q You met the Counsellor
there?

A Yes.

Q Did he know that you
had this money?

A No Sir.

Q Did he know?

A No Sir.

Q He had no knowledge
that you had this \$3000?

A No

Q You went with him a
perfect stranger?

A No - I saw these girls
once or twice before and
have been talking to them

Q The counsellor did not
write you to the place?

A No Sir

7 Q You went by yourself

A Yes.

Q What did you go there for.

A They asked me to call
down and see them, and I
went merely to call

Q You did not go to bed with
a woman?

A No

Q Quite positive?

A Yes

Q Will you swear you were
not drunk?

A Yes Sir.

Q Had you been drinking?

A Yes Beer

Q How much beer?

A We sent out for ten
pitchers of beer but there was
quite a number to drink it.

Dennis Grady, being duly sworn

and examined as a witness for

the People before and says:

0931

His complement came to
O'Connell Headquarters and reported
the loss of his money. He fixed
it at \$3000 but said it was
probably about \$2260. He
said he was in this room
155 West 29th St. I went to
there and searched the rooms
and there was nobody there.
I found this envelope under
a sofa in this room. I opened
it and found a photograph
of the man ^{the} two hills. I inquired
of the people who left the rooms
and the woman told me that
the names of the two girls who
occupied the room were Carrie
Ferguson was one girl.

By the Landlady

Q You do not know of your
own knowledge who occupied
this room?

A No only what the proprietor
of the house said - He told
me -

9

The 3
The Court Let him answer.

The Witness - He told me that
Carnie Ferguson and Mammie
the Bride occupied the room.
I asked her the time they left
He said 9 o'clock on
last past 9.

Q Have the girls been back to
the house?

A No

By the Law Officer

Q - You have not been there
continuously?

A No! I have been there and
inquired

The Court

Q - The Keeper of the house
informed you that these women
had not been back?

A Yes sir. I arrested this
man Truhell from information
I received and the night I
arrested him he said he was
not up to that house after

0933

last part one in the day.
I took him down to Police
Headquarters. I told him the
Inspector wanted to see him.
I told him he knew what he
was arrested for. He said
he did not know. I said
"It is for the \$3000 matter".
He said "What \$3000?" I said
"That man that was robbed
in the house Saturday night".
He said "I do not know
anything about it, what
house?" I said "130 West
29th Street". He said "I do
not know anything about it".
I said "Was you not up in
that house 130 West 29th St
on Saturday night?" He
said "No". He said "I left
there before one o'clock in
the afternoon. I have never
been there since". Taken
from taking him to court
after being identified by the

0934

confessant and the little
boy he admitted that he
went there and met the
girls at half past 8 coming
out and he said he asked
the girls where they were
going He said they were in
a hurry and they were going
down 7th Avenue and he
walked down 7th Avenue
as far as 23rd street and
7th Avenue. That they were
going to Morristown (N.J.) that
he took a 23rd street car to
Brooklyn and was in
Brooklyn at half past 8
after telling me before that
he met the girls at half
past 8

Confessant James J. Casey recalled
by Mr. McLaughlin

9 - What time was it that you
went to sleep?

12 1 - It must have been after

0935

8 o'clock

Q How long did you remain asleep?

A A couple of hours.

Q Until about what time?

A Eleven or half past 10.

Q You can't tell who took your money while you were asleep?

A All I know is that when I awoke the party was not there.

Q When you went to sleep at half past 8 the money was there?

A Yes.

Q When you awoke they were not there?

A No. They had their clothes packed gone bag and baggage.

Edward James being only

0936

sworn and examined as a
witness for the purpose before
and says: I live at 5 Pacific
Blair New York. I go to school.
I remember the 13th of June. I
saw these girls and a man
going out - Mamma, the Brude
and Mary A. Ferguson and
the defendant (Philip Fur-
bee)

Q Did you know the two
girls?

A Yes.

Q Going out from where?

A 133 West 29th St

Q What time?

A Twenty minutes past nine.

Q How do you know the time?

A The fire engines were going
out and I looked at the
clock.

Q What is the man's name?

A I do not know his name.
What is the man (Pointing
to defendant Furbee

Lizzie E. Coffey being duly sworn
and examined as a witness for
the people deposes and says,
I live at the St. James
Hotel, I was at 133 West
29th St. on Saturday. I saw
complainant there and the
murderer. I left at quarter
to 8 o'clock.

Q What was Cusey doing -

A He was sitting on a sofa
Couch examined by the the Lawyer

Q Was this a flat?

A It was

Q Where was complainant?

A Sitting on a sofa

Q He continued sitting on the
sofa while you were there

A Yes

Q Where was defendant?

A In the back room

Q In the same room where the
complainant was?

A No.

Q Who was with complainant at the time you left?

A Mary Ferguson

Q Who else?

A Nobody else

Q Where was you when?

A In the back room with
Mame Mc Bride

Q In bed?

A Yes

Q Anybody else in the place?

A No, nobody else.

Q At the time you left was
Mary Ferguson with the
complainant alone?

A Yes.

The Judge in answer to questions the
complainant and discharge the
defendant.

Motion denied
Off Field & answer \$5000 bond

0939

DISTRICT POLICE COURT.

THE PEOPLE
ON COMPLAINT OF

James J. Casey

Examination had *June 24* 1891

vs.

Mary A. Ferguson
Mamie Mc Bride
John J. ...

Before *Daniel F. Mc Mahon* Police Justice.

I, *W. L. Ormsby* Stenographer of the *2* District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of
the original Stenographer's notes of the testimony of *James J. Casey*

Demus Grady *Edward J. ...*

as taken by me on the above examination before said Justice.

Dated *June 25* 1891

W. L. Ormsby
Stenographer

D. J. ...
Police Justice.

0940

Police Court 2 District.

Affidavit—Larceny.

City and County }
of New York, } ss:

James J. Casey
of No. 127.5 Broadway Street, aged 33 years,
occupation Restaurant business being duly sworn,
deposes and says, that on the 13 day of June 1891 at the City of New York,
in the County of New York, was feloniously and person taken, stolen and carried away from the possession of deponent, in
the night time, the following property, viz:

Three thousand 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 Mary A. Ferguson, Annie McBride

John Twohill, for the reasons that
deponent had said money in pocket
of the vest pocket which he wore
on his person. Deponent was in company
with the defendants in their apartments
at 133 West 29th Street. Deponent
drank some beer and suddenly
fell asleep and when he awoke
said money was missing and the
defendants had left and have not
returned and have abandoned their
apartments.

James J. Casey

Sworn to before me, this 15 day

of June 1891
John J. Mahoney
Police Justice.

0942

Sec. 198-200

2 District Police Court

CITY AND COUNTY }
OF NEW YORK, } ss.

Philip Twobill 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. *Philip Twobill*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *200 East 38th Street; 7 weeks*

Question. What is your business or profession?

Answer. *Hall boy*

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

Answer. *I am not guilty*
Philip Twobill

Taken before me this

19th

day of June 1891

Wm. M. ...

Police Justice

0943

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 *50* 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 29* 1891 *A. Decker* Police Justice.

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

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

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

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

09444

Police Court--- 2 District.

THE PEOPLE, &
ON THE COMPLAINT OF

James Casey
Scotts Hotel 107 Broadway
Mary A. McQuibbin
Minnie McBride
Philip Tubell

Offence

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *June 19th* 1891

McMahon Magistrate.

Grady & Dowling Officer.

600 Precinct.

Witnesses *WOS 1 & 2 Not*

No. *Edward Danny* Street.

5 Pacific Place (Jan 29th)

No. *Charles G. Van Zant* Street.

1 Pacific Place

No. *Lizzie Coffey* Street.

500

5000

to

RECEIVED
JUN 21 1891
ANSWER
JUN 21 1891

0945

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

THE PEOPLE OF THE STATE OF NEW YORK,

against
*Mary A. Ferguson, Mamie
McBride and Philip Twohell*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by
this indictment, accuse *Mary A. Ferguson, Mamie
McBride and Philip Twohell*
of the CRIME OF GRAND LARCENY IN THE *first* DEGREE,
committed as follows:

The said *Mary A. Ferguson, Mamie
McBride and Philip Twohell*, all
late of the City of New York, in the County of New York aforesaid, on the *13th*
day of *June* in the year of our Lord one thousand eight hundred and
ninety-one, at the City and County aforesaid, with force and arms, in the
night time of the same day, divers promissory notes for the payment of money, being
then and there due and unsatisfied (and of the kind known as United States Treasury
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the
payment of and of the value of *fifteen hundred*

\$3000.00

dollars; divers other promissory notes for the payment of money, being then and there due
and unsatisfied (and of the kind known as Bank Notes), of a number and denomination
to the Grand Jury aforesaid unknown, for the payment of and of the value of
fifteen hundred
dollars; divers United States Silver Certificates of a number and denomination to the Grand
Jury aforesaid unknown, of the value of *fifteen hundred*

dollars; divers United States Gold Certificates of a number and denomination to the
Grand Jury aforesaid unknown, of the value of *fifteen hundred*

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid
unknown, of the value of *fifteen hundred dollars*

of the goods, chattels and personal property of one *James J. Casey*, on the
person of the said James J. Casey, then and there being found,
from the person of the said James J. Casey
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.

DE LANCEY NICOLL,
~~JOHN R. FELLOWS~~, District Attorney.

0946

BOX:

443

FOLDER:

4086

DESCRIPTION:

Fischer, John

DATE:

07/27/91



4086

Witnesses:

Counsel,

Filed 27 day of July 1891

Pleas,

Wm. C. ...
Wm. C. ...

THE PEOPLE

vs.

FI

John Fisher

[Section 498, as amended.]
Secretary in the Third Degree.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Richard ...

Foreman.

July 6/91
Wm. C. ...

Edmund ...

0948

Police Court 2 District.

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

of No. 503-F-Avenue Morris Jelleneck Street, aged 31 years,

occupation Furnishing Goods being duly sworn

deposes and says, that the premises No 503-F-Avenue Street,

in the City and County aforesaid, the said being a Four story

Brick Building

and which was occupied by deponent as a Furnishing Store

and in which there was at the time ^{of} a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly

Breaking a Pane of Glass in
the Show Window

on the 22nd day of July 1889 in the day time, and the following property feloniously taken, stolen, and carried away, viz:

Two Plated Watch Chains of the
value of Forty two cents
(42 cents)

the property of Deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid **BURGLARY** was committed and the aforesaid property taken, stolen, and carried away by

John Fisher (now here)

for the reasons following, to-wit: That deponent is informed
by Officer James Hearn of the 20th Precinct
Police that on the aforesaid date about the
hour of 5.30 o'clock A.M. he saw the defendant
standing alongside the aforesaid window with
a stone in his hand, and that said Officer
crossed over the Avenue from where he was
standing, to where defendant was standing
alongside the said window, and discovered

0949

The said window broken, and the defendant with a bent piece of wire in his hand, and inserted in the opening, in said broken pane of glass. And deponent is further informed by said Officer that he found two plated chains on the person of defendant, which chains deponent has seen and recognizes as his property - and as property which was in the said window, before the said window had been broken - Deponent therefore charges the defendant with having committed a Burglary and asks that he may be held and dealt with as the Law may direct.

Sworn to before me }
the 22 day of July 1891 }
John E. Hill }
Police Judge

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.
Burglary
Degree

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Dated by

No. Street.

0950

CITY AND COUNTY }
OF NEW YORK, } ss.

James McLean

aged years, occupation *Police Officer* of No.

20 Precinct Police

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Morris Jellinek*

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

Sworn to before me, this

22
9
188

day of

July

James McLean

John P. Kelly
Police Justice.

0951

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

John Fisher

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. *John Fisher*

Question. How old are you?

Answer. *16 years.*

Question. Where were you born?

Answer. *New York*

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

Answer. *508 West 37 Street - 4 years*

Question. What is your business or profession?

Answer. *Wall Paper Factory*

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

John Fisher.

John B. Fisher
Tested before me this
day of
1911

Police Justice.

0952

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

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

Dated July 22 1891 John S. Kelly Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

?

0953

185
Police Court--- 2nd District. 1953

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Morris Jelleneck
503 3rd Ave
John Fisher

Officer
Burglar

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

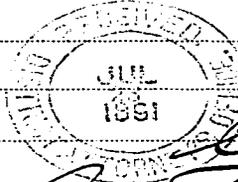
Dated July 22 1891
Kely Magistrate.
Hearn Officer.
20 Precinct.

Witness
No. Call Officer Street.

No. Street.

No. Street.

\$1,000 to the use of
Cano
Burglar



0954

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 Fischer

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

John Fischer

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

The said

John Fischer

late of the 20th Ward of the City of New York, in the County of New York aforesaid, on the
Twenty-second day of *July* in the year of our Lord one
thousand eight hundred and ninety-*one*, in the *day* -time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *Store* of
one

Morris Jelleneck

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 *Morris*
Jelleneck in the said *store*
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.

0955

SECOND COUNT—

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

John Fischer

of the CRIME OF

Retil LARCENY

committed as follows:

The said

John Fischer

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 *day* time of said day, with force and arms,

*two chains of the value of
twenty-one cents each*

of the goods, chattels and personal property of one

Morris Jelleneck

in the

store

of the said

Morris Jelleneck

there situate, then and there being found, in the *store*
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.

*DePancey Nicoll,
District Attorney.*

0956

BOX:

443

FOLDER:

4086

DESCRIPTION:

Foilersdorff, Peter

DATE:

07/21/91



4086

supplement #126

Counsel,
Filed 21 day of July 1891

Pleads,

THE PEOPLE

vs.

Peter Sillermanoff

Grand Larceny, Second Degree.
[Sections 528, 537 - Pennl Code].

DE LANCEY NICOLL,

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Nicholas J. Cook

July 22, 1891
Foreman.

Pleaded by G. L. D. G.

J. P. Sept. 22, 1891

Witnesses;

and for
officer
Mrs. Noble
62 King St.
Mrs. Dietz
2449 Secord St.

WM. decker -
62 King St.
July 31, 1891
Ch. King has
taken to the
place as a bona
fide. P.D.

0958

Police Court First District.

Affidavit—Larceny.

City and County } ss:
of New York,

Andrew Murphy

of No. 73 Market Street, aged 47 years,
occupation Labourer being duly sworn,

deposes and says, that on the 6 day of July 1891 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 gold Watch of the value of one hundred
dollars and good and lawful money
consisting of silver bills of divers
denominations of the amount and value
of Sixty five dollars all of the value of
one hundred and 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 Peter Follersdorff (now here)

from the fact that deponent is informed
by Michael J. Lyman a detective sergeant
that said defendant acknowledged and
confessed in the presence and hearing of
John D. Mc Ginnis that he took stole
carried away said property and thereafter
sold said Watch to Ede. Seibel for
the sum of fiftyn dollars.

Deponent says that he is informed by
the aforesaid Lyman that he went to
said Seibel's place of business at N. 71.
Division Street and that he denied purchasing
said property in the presence of said

Given to be sworn, this
1891
Police Justice

0959

defendant - That said Follersdorff spoke
in German to said Beckles and he
said Beckles ^{said} that he would return
the same this Evening. Deponent says that
said Lyman placed said Beckles
under arrest and he then and there
took said property from his safe the
money being taken out of the gold
case both now here shown and identified
Wherefore deponent charges said
Peter Follersdorff with feloniously
taking said property and Edw Beckles
with receiving the same he well knowing
at the time that the property had been
feloniously stolen by said Follersdorff

Sworn to before me ^{his} Andrew X Murphy
this 9th day of July 1891 made

[Signature]
Police Justice

0960

CITY AND COUNTY }
OF NEW YORK, } ss.

John D McGinnis
aged *29* years, occupation *Officer* of No.
300 Mulberry Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *Andrew Murphy*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

day of

July 18*88*

John D McGinnis

Police Justice

Police Justice.

0961

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 31 years, occupation Michael J. Lyman Police Officer of No. 300 Mulberry Street, being duly sworn deposes and

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

Sworn to before me, this 9th day of July 1897 } Michael J. Lyman

Do you believe
Police Justice

0962

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK ss.

Peter Follersdorff

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.

Peter Follersdorff

Question. How old are you?

Answer.

49 years

Question. Where were you born?

Answer.

Germany

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

Answer.

73 Market St 3 days

Question. What is your business or profession?

Answer.

Barkeeper

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 further examination
Peter Follersdorff*

Taken before me this

day of

1897

July 9
Police Justice

0963

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK.

Eolo Bectles

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.

Eolo Bectles

Question. How old are you?

Answer.

41 years

Question. Where were you born?

Answer.

Russia

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

Answer.

21 Duane St 11 mos

Question. What is your business or profession?

Answer.

Watchman

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

*Eolo Bectles
his mark*

Taken before me this

day of

July

1891

John J. ... Police Justice.

0964

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

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

Dated July 9 1891 Police Justice Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0965

Bill ordered

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Andrew Murphy
73 Market St
Peter Follusdorff
Eolo Suckler

2 *separate indictments*

3

4

Police Court
Receiving Station
for bonds

Dated *July 9* 19*11*

P.D. Reilly Magistrate.
McGinnis Officer.

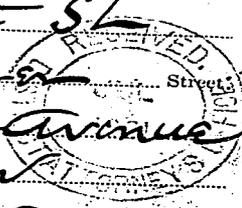
C.G. Precinct.
Witness *John D. McGinnis*

Michael Lyman Street.
300 Malberry St

Margaret Birnam Street.
72 Market St

Reuben Penn Street.
257 Third Avenue

Mary Palm Street.
257 Third Avenue



COMMITTED.

Bill ordered

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0986

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Peter Follersdorff

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

this indictment, accuse *Peter Follersdorff*

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE,

committed as follows:

The said *Peter Follersdorff*

late of the City of New York, in the County of New York aforesaid, on the *6th* day of *July* - in the year of our Lord one thousand eight hundred and *ninety one*, at the City and County aforesaid, with force and arms, in the *day* - time of the same day, divers promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the *\$65.00* payment of and of the value of *thirty - two*

dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of *thirty - two*

dollars; divers United States Silver Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of *thirty - two*

dollars; divers United States Gold Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of *thirty - two*

~~dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of~~ *and one watch of the value of one hundred dollars*

of the goods, chattels and personal property of one *Andrew Murphy* 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.

DE LANCEY NICOLL,
~~JOHN R. FELLOWS~~, District Attorney.

0967

BOX:

443

FOLDER:

4086

DESCRIPTION:

Fortunato. Michael

DATE:

07/30/91



4086

0968

POOR QUALITY ORIGINAL

Chas R. Doane
648 E 135 St
Witnesses:
Jacob Gudding
Elizabeth Anderson
Loie Jensen

For the reasons
given by Mr. Keagy
in his Mees. I
agree with him
that the return
to produce bail
should be denied
His Decree
Jury

B. N. July 30
998

Counsel,
Filed 30 day of July 1891
Pleads, *Not guilty*
THE PEOPLE
vs. P. ~~...~~
Michael Fortunato
(2 cases)

DE LANCEY NICOLL,
District Attorney.
Part 3, May 13, 1892 U. M. D.
May 25 - Special care should be
taken to find the witnesses, as there
A TRUE BILL.
were no witnesses present on the
13th of May. U. M. D.
Foreman.

Bay...
M 7 M 7
Dec 23 98

Onault, second degree
[Section 218, Penal Code]

ENTERED
T. J. W.

0969

POOR QUALITY ORIGINAL

Dated Aug 27th 91 by
Chas R. Deane

698 E 135 St

July 21/91

Witnesses:

Jacob Gudusung

Sylvetha [unclear]

Loie [unclear]

For the reason given by Mr Deane in his answer. I agree with him that the reason for doing so is that the defendant is a dangerous person and should be kept in custody. This being the case

No. 220
B N July 30/91
998

Counsel,

Filed 30 day of July 1891

Plenals, [unclear]

ENTERED

THE PEOPLE

vs. F [unclear]

Michael Fortunato
(2 cases)

DE LANCEY NICOLL,

District Attorney.

Part 3. May 13. 1892 U. M. D.

May 25. Special care should be taken to find the witnesses, as there were no witnesses present at the trial of May 13th. U. M. D.

A TRUE BILL.

Whitely
Foreman.

Bail discharged on motion of [unclear] M T M [unclear] Dec 23 98

Account second degree
Section 218 Penal Code

0970

370

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Richard Fortunati

Question. How old are you?

Answer.

32 Years

Question. Where were you born?

Answer.

Italy

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

Answer.

527 St. 146 Street 2 Years

Question. What is your business or profession?

Answer.

Contractor

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
M. Fortunati*

Taken before me this

day of

1897

Police Justice.

0971

Sec. 151.

Police Court V District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*
OF NEW YORK, } *of New York, or 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 Elizabeth Neuhards
of No. 527 1010 Street, that on the 23 day of June
1891 at the City of New York, in the County of New York,

he was violently Assaulted and Beaten by Michael Yorbman

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
forthwith before me, at the 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 1 day of July 1891
H. White POLICE JUSTICE.

0972

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 _____ 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 1 1889 _____ Police Justice.

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

Dated _____ 188 _____ Sh. H. Smith Police Justice.

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

Dated July 4 1889 _____ A. J. White Police Justice.

0973

M 250
Police Court-- District. *226998*

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Elizabeth Richards
Michael Fortunate

2 _____
3 _____
4 _____

Offence

Dated *July 4 188*

Walter H. ... Magistrate

Dwyer Officer.
Court Precinct.

Witnesses *Rosie Saurens*
354 Bleecker St.
No. *124th Street* Street.

Nicholas ...
No. *42 Light* Street.

Dr. Ambrosio 362 Broome St.
Dr. Leppa 87 Centre St.
No. _____ Street.

\$ *100* to answer
9.00
24 4th 500

John Palmieri
362 Broome

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

July 6 1888

0974

Police Court. _____ District.

CITY AND COUNTY } ss:
OF NEW YORK, }

of No. 5517 70 146 Street, aged 49 years,
occupation married being duly sworn, deposes and says, that
on the 23 day of June 1897 at the City of New York,
in the County of New York,

Q he was violently ASSAULTED and BEATEN by Michael Fortunato
who brutally beat and kicked
deponent about her body

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
the above assault, &c., and be dealt with according to law.

Sworn to before me, this

day of July 1897

[Signature]

Elizabeth Richards
Police Justice.

0975

POLICE COURT.....1.....DISTRICT.

City and County of New York, ss.:

THE PEOPLE

vs.

On Complaint of Elizabeth Muchardo

For Assault

Mildred Fortunate

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

Dated July 1 1899

M. Fortunate

A. J. White

Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Michael Tortunato

The Grand Jury of the City and County of New York, by this
Indictment accuse *Michael Tortunato* —

of the crime of *assault in the second degree,*
committed as follows:

The said *Michael Tortunato,*

late of the City of New York, in the County of New York, aforesaid, on the
twenty-third day of *June,* in the year of our Lord one thousand
eight hundred and ~~eighty~~ *ninety-one*, at the City and County aforesaid,

in and upon one Elizabeth McDonald,
known and believed to be lawfully
quitting her said assault, and that
the said Elizabeth McDonald, with
the hands and feet of the said
Michael Tortunato, in and upon
the abdomen and thighs of her
said Elizabeth McDonald, then and
there feloniously did unlawfully and
unlawfully strike, beat, kick and
wound, and thereby did said Michael
Tortunato die then and there feloniously.

indignantly and manfully resist
aggressive and tyrannical measures
which threaten the rights, against
the form of the statute in such
cases made and provided, and
against the peace of the People
of the State of New York, and
their dignity

[Faint signature]
[Faint text]

0978

This case seven years old and no desire on ^{the} part of the
complainant to further prosecute, I would therefore recommend
the discharge of defendants. Bail in this case

Wm. J. [unclear]

asst. Dist. Atty.
Dec. 26th 98.