

0561

**BOX:**

493

**FOLDER:**

4501

**DESCRIPTION:**

Brown, Anna

**DATE:**

09/23/92



4501

POOR QUALITY  
ORIGINAL

0562

Witnesses:

I have thoroughly  
investigated this  
case and find  
that the defendant  
is a highly respectable  
woman.  
The indictment  
never could be sus-  
tained by proof.  
The defendant  
indignantly vacated  
the premises. Lack of  
a matter of justice to  
the defendant that this  
indictment be  
dismissed - G.S.B.  
Dec 7/92 R.D.R.

KEEPING A HOUSE OF IL-FAME, ETC.  
(Sections 822 and 885, Penal Code.)

THE PEOPLE

vs.

B

Anna Brown

DE LANCEY NICOLL,

District Attorney.

Sept 20th Park St. - 2nd floor  
Off. Sept - Dec 192  
1st Sect. - 2nd floor  
A TRUE BILL.

James T. Leach

Foreman.

Dec 3rd - 7/92  
Indict. dismissed

The People vs.,  
vs.  
Anna Brown

City & County of New York ss:

Anna Brown being  
duly sworn doth depose and say that  
she is the defendant herein. That she  
formerly resided at No. 268 West 39<sup>th</sup>  
Street in the City of New York, and that  
her apartments consisted of four small  
rooms on the first floor of said premises.  
That while she so occupied said rooms  
she was arrested in the last week of  
August 1892, charged with keeping a  
disorderly house, and that immediately  
thereafter and as soon as she came to  
trial; during the first week of September  
1892, she vacated and removed from  
said place. That she was never arrested  
before in her life upon any charge  
whatever and has always borne a  
respectable character in every respect.  
That she is a widow depending upon  
her own exertions for support. That  
for many years she taught school,  
and now teaches the various branches

POOR QUALITY  
ORIGINAL

0564

of an English Education to private  
pupils by which means she gains  
a livelihood, and that she never, in  
any manner, or at any place, ever  
kept or maintained a disorderly house,  
and when she was charged with such  
an offence at Said No. 268 West  
39<sup>th</sup> Street she moved away and  
vacated said premises just as soon  
as she could get away therefrom,  
and she therefore respectfully and  
earnestly asks that Said Mother  
may be dismissed, as she has terribly  
suffered in her mind and reputation  
by reason of said charge.

Shewn to before me this

6<sup>th</sup> of December 1892

Anna Brown.

Thomas W. Pittman.

(101) Notary Public  
County of New York



POOR QUALITY  
ORIGINAL

0565

City and County of New York ss:

Thomas Baniffield  
being duly sworn doth depose and say that  
he is the Janitor of and has the charge  
of the Building No. 268 West 39<sup>th</sup> Street  
in the City of New York. That he knows  
the defendants herein Mrs. Anna Brown,  
that during the month of August 1892  
she occupied apartments in said premises  
which consisted of four rooms in the  
first floor, that she was arrested while  
occupying said rooms during the last week  
in August charged with keeping a disorderly  
house. That during the first week in the  
month of September 1892, the said Anna  
Brown removed from, and vacated the  
said rooms, and has not occupied the  
same, and that she does not occupy any  
rooms in said premises, <sup>said</sup> she removed therefrom  
in the said first week of last September.  
Sworn to before me

5<sup>th</sup> day of December 1892 } Thomas Baniffield  
Thomas Pettman }  
(101) Notary Public  
Co. of N.Y.

POOR QUALITY  
ORIGINAL

0566

City and County of New York ss:

Henry A. Schenck  
being duly sworn doth depose and say that he  
is in the Wholesale and Retail Harness Manu-  
facturing Business at No. 71 Warren Street  
in the City of New York. That he has  
known the defendant herein, Mrs. Anna  
Brown, for several years, and that she is  
a thoroughly respectable lady and of  
perfectly good character, and that she  
has never, to deponent's knowledge, been  
arrested, until upon the present charge.

That when he was informed of her arrest  
he became her bondsman, and still is her  
bondsman, and that he has no hesitation  
whatever in signing her bail bond, as he  
has every confidence in her truth and in  
her perfectly good character in all  
respects, and he believes her innocent of the charge.  
Sworn to before me

This 6<sup>th</sup> day of December 1892 } Henry A. Schenck  
Thomas W. Pittman }  
(Notary Public)  
County of New York.

**POOR QUALITY  
ORIGINAL**

0567

*Henry Hobbes*

001

001

POOR QUALITY  
ORIGINAL

0568

City & County of New York ss:

Dr. James O'Reilly  
Mr. D. of No. 247 West 49<sup>th</sup> Street, New  
York being only sworn to the above  
and say that he is one of the pro-  
fessors of the New York Institute of  
Medical Science. That he knows the  
defendant Mrs. Anna Brown, and  
that she took a Course of lectures  
at said Institute. That she is a lady  
of Education and refinement and  
of perfectly respectable character  
and he never heard of her being ac-  
cused upon any charge until the  
present occasion, and that she is  
an honest and industrious lady.

Sworn to before me

this 2<sup>d</sup> day of December 1892

Wm. W. Pittman

(109)

Notary Public

Co. of New York.

James O'Reilly M.D.

**POOR QUALITY  
ORIGINAL**

0569

*Dr. J. Kelly affixed*

11

City + County of New York ss:

Mrs. Myra Beach

being duly sworn, doth depose and say that she resides at No. 434 Fifth Avenue, and that she is the wife of George W. Beach.

That she is well acquainted with Mrs. Anna Brown, the defendant, whom she has known for over ten years. That the said Mrs. Anna Brown is a lady of education and refinement, and was formerly a School teacher. That she has always borne an irreproachable character in every respect, and has always associated with people of the best character, and that she has never been arrested until upon the present charge. Dependent further says that said Mrs. Brown depends upon a livelihood by teaching to private pupils the various branches of an English Education.

Sworn to before me this

5<sup>th</sup> day of December 1892.

Thomas W. Patterson

Mrs Myra Beach

(101) Notary Public.

Co of New York.

POOR QUALITY  
ORIGINAL

0571

The People vs.,

Against

Anna Brown,

Affendant in being  
of the Defendant.

POOR QUALITY  
ORIGINAL

0572

WOMAN'S INFIRMARY AND MATERNITY HOME,

247 WEST 49th STREET,

TRAINING SCHOOL.

New York, Oct 22<sup>nd</sup> 1892

Thomas W Pittman Esq  
238 W 51 st

Dear Sir

Regarding Mrs. Anna Brown  
I would state that she has been known to me  
for several years as a respectable woman.  
She has been a pupil of this school and I  
have employed her in the infirmary to give  
manage treatment and when she proposed  
to take cases at her rooms in west 39 st  
I have sent her patients and I have never  
been informed or heard that she acted otherwise  
than perfectly proper.

Yours truly

James O'Reilly M.D.



POOR QUALITY  
ORIGINAL

0573

437 Fifth Ave.

New-York Oct. 23/99

Mr Pittman.

Dear Sir, -

Although a stranger to you  
I feel that in justice to my  
friend Mrs Anna Brown -  
whom I believe to be the  
victim of unfortunate cir-  
cumstances. I desire to say  
I have known her for many  
years. That she is a lady of  
education refinement and resp-  
ectability. Hoping that these few  
lines may be of some slight  
service to a sister in trouble  
Very Respy. Mrs Geo. W. Beach

POOR QUALITY  
ORIGINAL

0574

Sec. 322, Penal Code.

CITY AND COUNTY } ss.  
OF NEW YORK, }

2

District Police Court.

of No.

Patrick Curry  
20th Precinct

that at the premises known as Number 268 West 39th Street, in said City, being duly sworn says,  
in the City and County of New York, on the 23 day of August 1892, and on divers  
other days and times, between that day and the day of making this complaint

Min Brown  
did unlawfully keep and maintain and yet continue to keep and maintain a house of prostitution  
and did then, and on the said other days and times, there unlawfully procure  
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come  
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said  
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil  
name and fame there to be and remain drinking, dancing, fighting, disturbing the peace, whoring and misbehaving  
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and  
there passing is habitually disturbed, in violation of the statute in such case made and provided

Deponent therefore prays, that the said Brown  
and all vile, disorderly and improper persons found upon the premises, occupied by said

Brown  
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 24 day

of August 1892  
John P. Ryan Police Justice.

Patrick Curry

POOR QUALITY  
ORIGINAL

0575

Police Court—2 District. W

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Patrick Curry  
vs.  
Brown

AFFIDAVIT—Keeping Disorderly House, &c.

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

\_\_\_\_\_  
Justice.

Bearley  
Officer.

W  
Precinct.

WITNESSES :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

POOR QUALITY  
ORIGINAL

05-76

Sec. 151.

Police Court 2 District.

CITY AND COUNTY OF NEW YORK, { ss. *In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Assine Brown Patrick Curry of No. 20 E. Princt Street, that on the 23 day of August 1888, at the City of New York, in the County of New York, 268 West 39th St did keep and maintain at the premises known as Number 268 West 39th St Street, in said City, a House of Prostitution and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking, dancing, fighting, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

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 body of the said Brown

and all vile, disorderly and improper persons found upon the premises occupied by said Brown and forthwith bring them before me, at the 2 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 24 day of August 1888.

John Ryan POLICE JUSTICE.

POOR QUALITY  
ORIGINAL

0577

Police Court—	District.
THE PEOPLE, &c., ON THE COMPLAINT OF	
23.	
WARRANT—Keeping Disorderly House, &c.	
Dated _____ 188	
Magistrate.	
Beasley Officer.	
20 Precinct.	
The Defendant _____	
taken, and brought before the Magistrate, to answer the within charge, pursuant to the command con- tained in this Warrant.	
Officer.	
Dated _____ 188	
This Warrant may be executed on Sunday or at night.	
John H. Ryan Police Justice.	

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

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

The within named

Police Justice.

POOR QUALITY  
ORIGINAL

0578

(1835)

Sec. 198 - 200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Annie Brown*

Question. How old are you?

Answer. *28*

Question. Where were you born?

Answer. *MS.*

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

Answer. *268 W 39th St*

Question. What is your business or profession?

Answer. *Keyp house*

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*  
*Annie Brown*

Taken before me this

day of *August* 189*7*

Police Justice.

POOR QUALITY  
ORIGINAL

0579

BAILED.  
No. 1, by Henry DeChambre  
Residence St. Vrain Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Police Court... 216 District 1079

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

David C. Cuyler

Stuart Cuyler

Dated, Aug 26 189

John Ryan Magistrate.

John Ryan Officer.

John Ryan Precinct.

John Ryan WITNESSES.

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

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

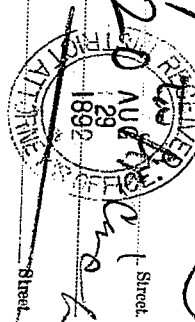
No. \_\_\_\_\_ Street.

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

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

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

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



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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of

the City Prison of the City of New York, until he give such bail.  
Dated, August 26 189 John Ryan Police Justice.

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

Dated, Aug 27 189 John Ryan Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0580

33'6" N. 30" W.

New York

Dec. 1<sup>st</sup> 92.

Ed Judge Pittman:  
New River

Mrs Anna Brown  
has been an adherent of my church  
for several years. I have known her  
for the past five years - She has  
borne a good reputation & is a woman  
of good character as far as I know.  
I know of nothing & have heard nothing  
to the contrary.

I have always found her honest  
upright & lady like in her  
deportment.

Very truly

M. Anderson

Pastor of 1<sup>st</sup> W. P. Church  
34" St. Between 7<sup>th</sup> & 8<sup>th</sup> Ave.



POOR QUALITY  
ORIGINAL

0581

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

470

THE PEOPLE OF THE STATE OF NEW YORK  
AGAINST

*Anna Brown*

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

*Anna Brown*

(Sec. 322,  
Penal Code.)

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

The said *Anna Brown*

late of the *20<sup>th</sup>* Ward of the City of New York, in the County of New York afore-  
said, on the *twenty-third* day of *August* in the year of our Lord  
one thousand eight hundred and ninety-*two*, and on divers other days and times, as  
well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County  
aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep  
and maintain; and in said house divers ill-disposed persons, as well men as women, and common  
prostitutes, on the days and times aforesaid, as well as in the night as in the day, there unlawfully  
and wickedly did receive and entertain; and in which said house the said evil-disposed persons and  
common prostitutes, by the consent and procurement of the said

*Anna Brown*

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlaw-  
ful assemblies, disturbances and lewd offenses on the days and times aforesaid, as well in the night  
as in the day, were there committed and perpetrated; to the great damage and common nuisance of  
all the good people of the said State there inhabiting and residing, in manifest destruction and sub-  
version of and against good morals and good manners, against the form of the statute in such case  
made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

*Anna Brown*

(Sec. 385,  
Penal Code.)

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

The said *Anna Brown*

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

**POOR QUALITY  
ORIGINAL**

0582

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

THIRD COUNT:

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

*Anna Brown*

(Sec. 322,  
Penal Code.) of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said

*Anna Brown*

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

DE LANCEY NICOLL,

*District Attorney.*

0583

**BOX:**

493

**FOLDER:**

4501

**DESCRIPTION:**

Brown, Augustus L.

**DATE:**

09/27/92



4501

0584

**BOX:**

493

**FOLDER:**

4501

**DESCRIPTION:**

Brown, Augustus L.

**DATE:**

09/27/92



4501

POOR QUALITY  
ORIGINAL

0585

Witnesses:

Counsel,

Filed,

1892

Pleads,

THE PEOPLE

vs.

B

Augustus L. Brown

INJURY TO PROPERTY.

[Section 654, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Put off under the provisions of the Court

Order of the Court, Dec. 22<sup>nd</sup> 1892

A TRUE BILL.

James Talbot

Foreman.

Part III. Jan. 4<sup>th</sup> 1893

27<sup>th</sup> St. L. B. 1892  
Part III. January, 1893 -  
Tried and Acquitted

POOR QUALITY  
ORIGINAL

0586

District Attorneys Office.  
City & County of  
New York.

Nov. 15<sup>th</sup> 1892

Mr Taylor:

My Dear Sir:

I should be obliged if you  
could drop in at the District  
attys. office within a day or so. As  
I am preparing the case for trial  
against Augustus L. Brown charged with  
maliciously cutting the dress of a woman  
on the 9<sup>th</sup> an Elevated R.R. on the  
20<sup>th</sup> of August.

Very truly yours.

Robert J. McCormack.

No.

POOR QUALITY  
ORIGINAL

0587

District Attorneys Office.  
City & County of  
New York.

Apr. 15<sup>th</sup> . 1892

Mr. Taylor:

My Dear Sir:

I should be obliged if you  
could drop in at the District  
attys. office within a day or so. As  
I am preparing the case for trial  
against Augustus L. Brown charged with  
maliciously cutting the dress of a woman  
on the 9<sup>th</sup> an Elevated R.R. on the  
20<sup>th</sup> of August.

Very truly yours

Robert J. Johnson.

So.

POOR QUALITY  
ORIGINAL

0588

District Attorneys Office.  
City & County of  
New York.

New York, N.Y.

Will you when I am again subpoenaed  
have that witness sent for also so  
the case can go on without any further  
delay. You will have to find her  
through her mother. The address is  
(Mrs Keobling # 617 - 9<sup>th</sup> Ave. City)  
She was here the day I had to go before  
the grand jury; but she was not  
examined. Probably they may want her  
when we are again in court.  
So if she is sent for it will save  
much delay.

Hoping you will give this your  
attention

I remain your respectfully  
L. Brown.

10<sup>th</sup> 1894  
18  
Mrs Singer 421 W. 44<sup>th</sup> St.  
New York



POOR QUALITY  
ORIGINAL

0589

District Attorneys Office.  
City & County of  
New York.

Oct. 13, 1892.

Mr. Townsend:-

Dear Sir:-

I have been waiting  
for you here some time. And being as I  
could not see you I take the liberty to  
write. Hoping you will give this case of  
mine your attention. I have been down to  
this court no less than four times in the  
past month and each time this case  
has been put off for some reason or  
other. Now you know being as I have  
to go to business every day it is  
hard for me to get away so often.  
This I think it very strange that  
this thing has not been decided upon.  
Will you kindly have me sent for when  
you are again in court. I would  
much rather have you attend to this  
case for me. You understand it so  
much better than any other person.

**POOR QUALITY  
ORIGINAL**

0590

[illegible]

I Unknow - she said that  
~~members~~ picked my parent.

POOR QUALITY  
ORIGINAL

0591

August 26/92. 86 Marion St. Brooklyn  
To Mr. Townsend Asst. Sec. of Attorney  
Dear Sir

In this morning's paper I see the account of the slashing done to Miss Brown's dress on Sat. night last. My little girl & I boarded the same car at Barclay St. I stood after entering the car in the same position & place that Miss Brown afterwards stood in. The same man that she caused to be arrested

stood by the door-jamb, he put his hand round the back part of my skirt, in an offensive manner. I then asked another gentleman, who had a valise at his feet to move a little, so I could move my position. He did so & I after that ~~replied~~ I stood against the opposite jamb. I would have slapped the man on the face, only I disliked to make a scene. Then the young lady came in, & stood with her face to me & her back to that man. The crowd was so great no one could by any chance see the man in the act of cutting the dress.

Yet I am morally certain no one else could have done it, & directly the lady's attention was called to it, he tried to leave the car. Very respectfully yours  
E. M. Peakeston.

**POOR QUALITY  
ORIGINAL**

0592

N.Y. COURT OF GENERAL SESSIONS

-----X  
The People, etc., :  
against :  
Augustus L. Brown :

-----X  
City and County of New York, ss:

Augustus L. Brown being duly sworn says that he is the defendant in the above entitled action; that this morning at about eleven o'clock deponent received a communication from his attorneys Messrs. Purdy & McManus stating that his case was on the calendar; the communication had been sent yesterday, but owing to deponent's absence from his place of business he did not receive it until this morning. Deponent was not able owing to the fact of receiving the notice so late to subpoena the witnesses in his case. Mrs. Hemmings who lives at 463 1/2 Fifth Av. Brooklyn, is a necessary and material witness for defendant and without whose evidence defendant cannot safely proceed to trial, also Mr. George whose residence is at 93 East B'way, N.Y. is a material and necessary witness and without whose evidence deponent cannot safely proceed to trial. Defendant further says that if he is given a very short adjournment he can procure these witnesses.

Sworn to before me )  
this 4<sup>th</sup> day )  
of January, 1893. )

*A. L. Brown*

*Paul C. Harris -  
Notary Public  
N.Y. County*

POOR QUALITY  
ORIGINAL

0593

DISTRICT POLICE COURT.

THE PEOPLE,  
ON COMPLAINT OF

*Lalla Brown*

vs.

*Augustus L. Brown*

Examination had

*Aug 25*

188*2*

Before

*John J. Ryan*

Police Justice.

I,

*Walter L. Crumley*

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 *Lalla Brown, Augustus*

*L. Brown et al*

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

Dated

*Aug 30*

188*2*

*Walter L. Crumley*

Stenographer.

*John J. Ryan*  
Police Justice.

POOR QUALITY  
ORIGINAL

0594

POLICE COURT  
SECOND DISTRICT  
W. L. ORMSBY, JR.  
CLERK

The People vs  
Lalla Brown

Augustus L Brown

Examination Before Justice Ryan  
Aug 25 1892

For the People - Asst Dist Atty Townsend  
Dft Jas D. Mc Clelland

Lalla Brown the complaining witness  
being duly sworn before and says:-

du Townsend - I will accept the affidavit  
and complaint by the witness as  
an honest examination.

Examined by du Mc Clelland

2 - Are you unmarried?

A Yes Sir

2 At what time did you board  
this elevated train

A at 25 minutes to 8 in the evening.

2 What station?

A Dearborn street, on the  
9th Avenue St

2 At that time there was a large  
number of persons on the cars.

A Yes Sir

2 Did you come with the throng  
from the ferry?

A I did not come from ~~home~~  
the ferry house - I came  
from home

2 You entered the car from the  
platform?

A Yes

2 Did you take a seat?

A No Sir, - the car was crowded.  
I could not get a seat.

2 Did you get on at the front  
or rear of the car?

A The rear.

2 Did you stand until you got  
off the car?

A Yes Sir.

2 The car was crowded when  
you got on

2 A Crowded yes Sir

2 Did any people come in with you?

A No, Sir: nobody entered the car with me. I could not get a seat

2 Did you stand near the door

A Right under the door near the jamb

2 Did you stay there?

A All the time.

2 When did you first see the Defendant?

A When he commenced to pull at my dress I turned

2 about how long had you been there

A Just a few minutes

2 Was he sitting or standing?

A Standing

2 When you came in?

A Yes Sir

2 He was in front of you?

A He was behind me

2 Did you pass him?

3 A I could not pass him. He



Can was crowded. I stood  
in front of him. He was  
directly behind my back

2 Did you continually face the  
front of the car?

1 I faced directly the right  
hand side of the car

By the Court

2 Which way?

1 Facing the window.

2 He was behind you.

1 Yes Sir

By Mr. McClelland

2 How long before you felt  
this pulling at your dress?

1 Shortly after the train pulled  
away from the passenger  
stop station

2 You say you felt this tug;  
How long after?

1 I can't say. It was after  
the train started I felt a pull  
at my dress.

2 You felt this tug

4 A Yes

2 where?

A at my back

2 You were facing where?

A I was facing the right side  
my back was right toward the  
left, at the doorway.

2 You faced east?

A Yes.

2 And he stood?

A He stood behind me

2 Holding on?

A I did not have hold of  
strap. The straps were all  
taken.

2 where was defendant?

A Behind me.

2 where did you feel the tug?

A at my back

2 Did you say anything?

A No. I looked around

2 what was he doing?

A. He dropped his eyes when I  
looked at him

2 what else?

5 A That is all. when I turned

my back. He pulled my dress  
I did not want to speak to  
him as I was going to get  
out in a few minutes. Then  
my attention was attracted by  
a lady who sat right behind  
me that ~~my dress~~ he had  
cut my dress.

Q Do you know that lady?

A No.

Q Did you get her address

A No Sir.

Q Have you made any efforts  
to produce the lady?

A — There was an advertisement in  
the paper.

Desst. Sent Atty. Townsend — It was  
not exactly an advertisement but  
a request that the lady should  
come forward.

By Mr. Clelland

Q When did you first discover  
that your dress was cut?

A On the train — before the  
train got to 23d St.

2 Where was defendant?

A He was right on the car.

2 Did you say anything?

A I asked him why he did it. He denied <sup>it</sup>, and said he did not do it. "You did" said the lady. "You pulled my dress before I came in the car. I stood between him and this lady at the time I accused him of cutting my dress."

2 What do you mean that you stood between him and the lady?

A - She was standing in front of me; nearer the front of the car.

2 Was that all the conversation?

A That was all.

2 Have you got the dress here?

A Yes.

2 Please produce it.

(Dress and white skirt produced)

Q This man stood behind you.  
A Yes.

Re-direct by Mr. Townsend

Q You say a lady spoke to you  
on the car?

A Yes sir

Q What did she say  
objected to

The Court She was asking if the  
defendant was present

Q Was defendant present?

A Yes, less than a foot away  
objection overruled

Q Now what did this lady say

A She asked me if my dress  
was torn when I came in, and  
showed me - I could not see,  
I said "Who did it?" She  
said "That man did it," and  
pointed to this defendant, I  
turned around and asked him  
why he did it. He said he

Did not. I said "This lady says you did". She said "Yes, you did you rascal. You were pulling my dress before I got in the car. There were two women there."

Q You went to the station.

A Yes Sir.

Q Did you find any spots of blood on your skirt.

A Yes, right here - The sergeant at the Wash Street station called my attention to it.

Q Did you see defendant at the station house?

A Yes. There was a cut on his forehead.

A Did you see any blood?

A No. I did not notice any blood - it was a fresh cut.

Q What is the value of your skirt?

A About \$40 - skirt included.

By Mr. McCalland

Q 2. Was defendant on the platform

- before you got to 234 Street
- A He tried to leave the car but  
some one grabbed him and  
prevented him.
- Q at the time that he started to  
go through the car.
- A Somewhere I did not know
- Q Before the car got to 234  
Street
- A No Sir. He did not see.  
He stood in one place

By the Court

- Q - From the time you got on  
the car until you were asked  
by this lady he stood right  
behind you.
- A Right behind.
- Q When this lady called your  
attention to the cut on your dress  
he was there present, and she  
charged him in your presence  
with cutting your dress, and she  
said to him "You are the  
darnedest fellow I ever met"

and you cut this lady then.

A Yes.

Q Then he was arrested;

A Yes.

Q ~~Was there~~ <sup>How</sup> many passengers standing around by you?

A I could not tell.

Q Quite a number?

A Quite a number - quite a number right at the back: so crowded that they refused to take more passengers.

Q The defendant stood where?

A Back directly back - the car was very crowded.

James Gillespie being duly sworn  
deposes and says: I am a ~~man~~  
was a policeman of the  
16th Precinct. I recollect the  
Sunday of this arrest. I was  
patrolling my post on 9th  
Avenue about 26th Street  
- from 23d to 26th. I went



down to 23d street to the elevated railroad station on the 9th Avenue. I was told there was a fight.

Q What did you find when you got there?

A I saw the lady (complainant) He said "Officer I want you to arrest this man; he has just destroyed my dress." I looked at him. He was walking leisurely around the platform. I said "Will you come over and make a charge against him?" She said "Certainly." Then I said "Come on and took him to the station house.

Q When you got to the station was complainant there?

A Yes. I brought him to the sergeant and the lady accused him of cutting her dress. The sergeant took the complaint. Defendant said

He did not do it. I took him  
in the back room and out down  
I was in there a few moments  
when the sergeant said "Bring  
him out" and I brought him  
out. The sergeant said to  
him let me look at your  
hand." Then he showed a  
cut on his right forefinger.

Q Was there any blood there

A Yes Sir.

Q Blood on the hand?

A Yes

Q Fresh blood?

A Yes Sir.

Q Not dry

A It was not. - it was oozing  
out of the finger.

Q Did you say anything to him  
then.

A No Sir. The sergeant said "You  
are the right man: you will  
have to go down." Defendant  
offered an explanation. He said  
he cut his finger putting up a

bench in his shop. - a work  
bench.

Q You looked at his clothing?

A Yes

Q Did you talk with the  
defendant in the station house?

A I asked the question whether  
there was any witness &  
~~and~~ there was no witness

## The People Rest

Augustus L. Brown being

only sworn as a witness in his  
own behalf depose and say:

By Mr. Clelland

Q - You have heard the charge  
made by this lady that  
you cut her dress?

A Yes sir

Q Is it true?

A It is not true - I am  
not guilty.

14 Q Did you ever at any time cut her

Quess in my way?

A I did not. - never in my life.

Q State to the court in your own way how you came to be accused - give your explanation.

A I sent my finger putting up a bench in my shop

Q Start with the day on the case.

A I got on the car at Greenla just seven at ~~Cortlandt Street~~ where I always get on.

Q Go right along.

A I got on the car - the car became pretty full. I had a seat at one time. I got up and gave my seat to a lady. I was near the door. I did not notice the lady or anybody else. If this lady looked at me I did not see it - not to my knowledge. I had been suffering all day and had taken cholera medicine and had the bottle in my pocket

A friend of mine advised me to get the mixture and I got it. When the train got near 23rd Street Station I started to go out of the car leisurely. I had not done anything wrong. I heard some remarks behind me and turned around to see who made it. I did not understand that it was made to me. I started leisurely to go out of the car. I had not done any wrong. I heard some remark behind me and turned around to face and see who they meant when I understood that they meant me. I said "I think you are mistaken. There was a great rumpus and a good many people talking - I could not say that any one certain thing was said by any one. - Then I was arrested and taken to the Police Station. When I was on the car I was accused of

destroying a ladies address. The  
lady accused. I said I was  
perfectly innocent of the charge.  
I got off at the 33rd Street  
Station. The lady sent she  
had a friend to meet at the  
47th Street Station. I was  
willing to go with the officer.  
There were a great many gentlemen  
on the platform. One of them  
wanted to know if I had a  
knife in my possession. I had  
no knife, and I was willing  
to be searched. At the station  
I gave my business card to the  
captain at the desk, and told  
him I was innocent of the charge.  
I was taken into a back room  
in the station and after a  
few minutes I was sent out and  
the captain asked me to let him  
see my hands and I had a  
fresh cut on my finger and I  
told him I had cut it while  
putting up a bench and shelves.

in my place of business and  
that I could bring proof of it. I  
did not know I was cut  
until the boy brought my  
attention to it. That my finger  
was cut.

2 Did you ever have any knife  
in your possession

A No sir. I did not have any  
knife in my possession

2 What is your business

A I am an engraver or jeweler  
I have been down town in  
that business a little over 20 years.  
I have been in business for  
myself over thirteen years  
and I am well known in the  
jewelry trade

2 Are you a married man?

A Yes

2 Are you guilty of this offense

A No sir. It would be impossible  
for me to do it. - I could not  
do it.

18 2 Did you ever carry a knife

06 12

at all:

1 I have carried pocket knife  
- a pen knife

2 You did not offer to leave  
that with you:

A No sir, it was down to the  
shop broken

2 Did you hear this woman,  
the complainant and the  
second woman accuse you  
at that time?

A The first thing was at the  
entrance of the car on the  
pavement.

2 What did you hear her say?

A I heard her say "This man  
cut my dress" but my back  
was then turned to the lady.

I turned around and saw her,  
she was pointing. Then I heard  
all the people speaking: I said  
"I guess you have made a  
mistake"

2 That was the complainant  
you spoke to?



A Yes Sir. This complainant  
This lady here?

Q She said to you & you are the  
man who cut my dress;

A Yes - when I heard her I  
did not know who she spoke  
to

Q What did you do when that  
occurred?

A I turned around,

Q Then did you see complainant?

A - well I could not recognize  
her

Q Did you hear her say anything  
to you?

A I heard her say "You are the  
man who cut my dress?"

Q Were you near her in the  
car?

A I was near the entrance by  
the door of the car.

Q There was another woman on  
the car who spoke beside  
the complainant. Did you  
hear her say anything?

A I could not say I saw anything distinctly. There was quite a commotion - all talking -

Q Did you hear this other woman say you were digging at her chest?

A No sir

Q Nothing like that?

A No sir

Q Your finger was bleeding at the time?

A I did not know anything of it until my attention was called to it; when the Captain spoke to me in the station.

Q That was the first time your attention was called to it.

A - Yes sir except my boy called attention to it?

Q At what time?

A Probably about half past four or five o'clock  
I could not say exactly

By Mr. McClelland

21 Q Before you arrived at the

Q 23a That station many people were standing around - you did not notice this lady?

A Well there was a good number I did not notice this lady particularly

Q 2 In the neighborhood of where you stood were there a great number?

A The platform was so crowded that the gates could not open. The gates could not open -

Q 2 It was not possible to get through the car to go to the rear entrance?

A Yes. There was a great many around.

Q 2 And the gate could not be opened so as to let people into the car?

A No.

Q 2 Were you ever on a car when the gate could not be opened?

22 A Certainly - yes - often

before your Honor,

Charles W. Grant being duly sworn  
and examined on a witness for  
the Defendant deposes and  
says: I am employed as fore-  
man of the Jewelry factory of  
J. D. Vanman 19 John St.

2 How long have you known  
the Defendant?

A Fifteen years

2 Do you see him often?

A I see him sometimes a  
few times a day

2 What is his reputation among  
those who know him?

A He is an honorable, honest,  
upright, honest man

The Defendant Brown recollects

The complainant Mrs. Brown recollects

23 2 Were you at the return

when this man was accused of  
cutting your deer?

1- Yes.

2 Did you leave man ask him  
whether he had a knife?

A That I could not say.

2 You were close enough to hear

1 I could not say.

2 If it was asked you ~~would~~  
would have heard it?

A Yes sir.

Can Examine

2 Did you hear that question  
asked him or the car?

A No sir. It was asked at  
the station when ~~the~~ he was  
searched.

Defendant held to answer  
\$500 bail.

POLICE COURT,  
SECOND DISTRICT,  
W. L. ORMSBY, JR.,  
STENOGRAPHER.

POOR QUALITY  
ORIGINAL

06 18

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before John B. Ryan a Police Justice  
of the City of New York, charging Augustus L. Brown Defendant with  
the offence of Malicious Mischief (Arson)

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

We, Augustus L. Brown Defendant of No. 713

North Green Street; by occupation a Engraver in Jewelry

and Marks Miller of No. 86 Nassau

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

that the above named Augustus L. Brown Defendant

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

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

Hundred Dollars.

Taken and acknowledged before me, this 24 day of October

1892 day of August 1892 Marks Miller

John B. Ryan POLICE JUSTICE.

POOR QUALITY  
ORIGINAL

06 19

CITY AND COUNTY } ss.  
OF NEW YORK,

*Sworn to before me, this 24<sup>th</sup> day of December 1892*  
*John J. [Signature]*  
Police Justice.

*Marion Miller*

the within named Bail and Surety being duly sworn, says, that he is a resident and *free*  
holder within the said County and State, and is worth *Five* Hundred Dollars,  
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,  
and that his property consists of *one house and lot in*

*149 East 36<sup>th</sup> Street New York*  
*\$11.000 free and clear*  
*Mark Miller*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear  
during the Examination.

Taken the ..... day of ..... 18

Justice.



POOR QUALITY  
ORIGINAL

0620

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

of No. 66 Varick Street, aged 23 years,  
occupation Cloak Dealer being duly sworn deposes and says,  
that on the 20 day of August 1882

at the City of New York, in the County of New York, Augustus L Brown  
(nowhere) who did willfully and  
maliciously cut and destroy a Bedford  
Cord dress worn on the person of deponent  
and underclothing worn on deponent's person  
with some sharp instrument while deponent  
was on one of the 9<sup>th</sup> Avenue Elevated Cars  
as a passenger causing damage of  
the amount and value of Forty  
dollars the property of deponent

Lealla Brown

Sworn to before me this

1882 day

Police Justice



POOR QUALITY  
ORIGINAL

0621

(1885)

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

2 District Police Court.

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

Question. What is your name?

Answer.

*Augustus L Brown*

Question. How old are you?

Answer.

*35 years*

Question. Where were you born?

Answer.

*England*

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

Answer.

*703 Ninth Avenue 18 months*

Question. What is your business or profession?

Answer.

*Engraver on jewelry*

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*  
*A. L. Brown*

Taken before me this

day of

189

Police Justice.

0622

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

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

Dated, Aug 22 1897 A. M. Ryan Police Justice.

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

Dated, May 20 1897 John Egan Police Justice.

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

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

POOR QUALITY  
ORIGINAL

0623

Court of General Sessions of the Peace

517

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

*Augustus L. Brown*

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

*- Augustus L. Brown*

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

The said *Augustus L. Brown,*

late of the City of New York, in the County of New York aforesaid, on the *twentieth*  
day of *August*, in the year of our Lord one thousand eight hundred and  
ninety- *two*, at the City and County aforesaid, with force and arms, *one dress*

*of the value of forty dollars and divers*  
*articles of underclothing*

*of the value of twenty five dollars.*

of the goods, chattels and personal property of one *Sally Brown,*

then and there being, then and there feloniously did unlawfully and wilfully *injure* to

*the amount of the value of forty dollars,*  
*by then and there cutting and mutilating*  
*the said dress and underclothing with a*  
*knife:*

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

*DeSancey Mott,*

*District Attorney*

0624

**BOX:**

493

**FOLDER:**

4501

**DESCRIPTION:**

Brown, George

**DATE:**

09/14/92



4501

POOR QUALITY  
ORIGINAL

0625

Witnesses:

*Ch. Lange*  
*D. Laundrey*  
*Off Meyer*

Counsel,

Filed

Pleas,

1892

THE PEOPLE

vs.

*George Brown*

*Grand Larceny, Rescued Degree*  
*[Sections 828, 834, 532 Penal Code.]*

DE LANCEY NICOLL,

District Attorney.

*Quoted Sept 26. 92 B.S.W.*

*" I. Sept 29. 92 B.S.W.*

A TRUE BILL.

*James To be*

Foreman.

*Part 2 - Oct. 3, 1892.*  
*which and sequent*

*Sp. H.S.*

POOR QUALITY  
ORIGINAL

0626

Police Court

3<sup>rd</sup> District.

Affidavit—Larceny.

City and County } ss:  
of New York, }

of No. 104 East 11<sup>th</sup> Street, aged 32 years,

occupation liquor dealer being duly sworn,

deposes and says, that on the 20<sup>th</sup> day of August 1892 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 time, the following property, viz:

A quantity of wearing apparel of the value of about One hundred and fifty dollars

A clock of the value of Eighteen 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

George Brown and Frank Caldwell both now here for the reasons that said property was in deponent's apartment in the above premises and deponent missed said property. Deponent lets furnished rooms and the defendant Brown was one of deponent's tenants and the defendant Caldwell was a companion of Brown and continually associated with Brown. Deponent is informed by Emanuel Meyer (now here) a police officer that he found the property here shown in the possession of Samuel Sonneckberg, a pawnbroker doing business at 168 First Avenue

Sworn to before me, this 1892 day

Police Justice.

and said Sonnetberg informs deponent that he identifies the defendant Brown as the person who pledged said property with him and deponent identifies the property as a portion of ~~the~~ the property stolen.

Deponent is informed by Bertha Skupch (now here) ~~that~~ who is the servant in deponents employ, that said Coldwell without any solicitation on her part, asked her if she, (Bertha) missed anything and when she replied "no" as she was instructed by deponent, the said Coldwell then said to her that if she would search about the house she would find the pawn ticket representing the clock, ~~not~~ somewhere in the house.

That by reason of the circumstances deponent has just cause to believe that the defendants acted in concert

In the commission of said larceny

Sworn to before me

this 23<sup>rd</sup> August, 1892

Charles Lange

*E. W. M.*  
Police Justice

POOR QUALITY  
ORIGINAL

0628

CITY AND COUNTY }  
OF NEW YORK, } ss.

1921

aged 22 years, occupation Domestic of No. 104 E 11<sup>th</sup> Street, being duly sworn, deposes and

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

Sworn to before me, this 22 day  
of August 189 2

Bertha Hubbsch

[Signature]

Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

1921

aged 37 years, occupation Police officer of No. 147 Bleecker Street, being duly sworn, deposes and

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

Sworn to before me, this 23 day  
of August 189 2

Emanuel Meyer

[Signature]

Police Justice.



POOR QUALITY  
ORIGINAL

0629

CITY AND COUNTY }  
OF NEW YORK, } ss.

1921

*Samuel Sonnabend*  
aged 33 years, occupation Pawnbroker of No. 168  
First Avenue Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Charles Lang  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 23 day  
of August 1892

*Sam Sonnabend*

*E. H. [Signature]*  
Police Justice.

POOR QUALITY  
ORIGINAL

0630

Sec. 198-200.

CITY AND COUNTY } ss:  
OF NEW YORK,

3 District Police Court.

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

Question. What is your name?

Answer.

*George Brown*

Question. How old are you?

Answer.

*27 years*

Question. Where were you born?

Answer.

*Canada*

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

Answer.

*106 East 11<sup>th</sup> St. 1 week*

Question. What is your business or profession?

Answer.

*Clerk*

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.*

*George Brown*

Taken before me this

day of August 1892

Police Justice.

POOR QUALITY  
ORIGINAL

0631

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss:

B District Police Court.

Frank Caldwell 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 sees fit, to answer the charge and explain the facts alleged against him;  
that he is at liberty to waive making a statement, and that his waiver cannot be used  
against him on the trial.

Question. What is your name?

Answer.

Frank Caldwell

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

Illinois

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

Answer.

Bath beach

Question. What is your business or profession?

Answer.

Clerk

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  
Frank Caldwell

Taken before me this

23

day of August 1897

Police Justice.

[Signature]

POOR QUALITY  
ORIGINAL

0632

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

Police Court,

District,

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles J. Brown*  
*George Brown*  
*Robert Goodrich*  
*Charles J. Brown*  
*Robert Goodrich*  
Offense, *Grand Larceny*

Dated, Aug 23 1892

*Hogan* Magistrate.

*Meyer* Officer.

Precinct,

Witnesses

*Charles J. Brown*

*George Brown*

*Robert Goodrich*

*Charles J. Brown*

*Robert Goodrich*

*Charles J. Brown*

*Robert Goodrich*

*Charles J. Brown*

*Robert Goodrich*

*Charles J. Brown*

*Robert Goodrich*

*Charles J. Brown*

*Robert Goodrich*

*Charles J. Brown*

*Robert Goodrich*



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, each and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Aug 23 1892 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0633

605

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*George Brown*

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

of the CRIME OF GRAND LARCENY IN THE

*second* DEGREE, committed  
as follows:

The said

*George Brown*

late of the City of New York, in the County of New York aforesaid, on the *20th*  
day of *August* in the year of our Lord one thousand eight hundred and  
ninety-*two*, at the City and County aforesaid, with force and arms,

*divers articles of clothing and  
wearing apparel, of a number and  
description to the Grand Jury  
aforesaid unknown, of the value  
of one hundred and fifty dollars,  
and one clock of the value of  
eighteen dollars,*

of the goods, chattels and personal property of one

*Charles Lange*

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.

POOR QUALITY  
ORIGINAL

0634

SECOND COUNT—

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

*George Brown*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:  
The said

*George Brown*  
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,

divers articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of one hundred and fifty dollars, and one clock of the value of eighteen dollars

of the goods, chattels and personal property of one

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

*Charles Lange*  
unlawfully and unjustly did feloniously receive and have; the said

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

DE LANCEY NICOLL,

District Attorney.

0635

**BOX:**

493

**FOLDER:**

4501

**DESCRIPTION:**

Brown, Julius S.

**DATE:**

09/22/92



4501

POOR QUALITY  
ORIGINAL

0636

Witnesses:

upon the within statement  
I recommend the dis-  
charge of defendant on his  
own recognizance  
Oct 23/93 - Stephen J. Hare  
District Attorney

Counsel

Filed, day of

1892

Pleads,

THE PEOPLE

vs.

INJURY TO PROPERTY.

[Section 654, Penal Code.]

Julius S. Brown

DE LANCEY NICOLL,

District Attorney.

Part 2 - Oct. 23/93.  
Defendant discharged on his  
own recognizance.  
A TRUE BILL.

Foreman.

Retained  
Oct 15/93

71 Sept 28/93

James T. Brown



POOR QUALITY  
ORIGINAL

0637

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK } SS:

5 District Police Court.

*Julius S. Brown* 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 sees 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.

*Julius S. Brown*

Question. How old are you?

Answer.

*35 years old*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*158 Canal St 15 years*

Question. What is your business or profession?

Answer.

*Salesman*

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

Answer.

*I Am Not Guilty*

*Julius S. Brown*

Taken before me this

day of *November* 189*9*

*Charles J. ...*

Police Justice.

POOR QUALITY  
ORIGINAL

0638

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court...

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Samuel J. Mullin  
235 E 36

Julius J. Brown

Offense  
Reckless Driving

Date  
September 12 1892

Magistrate  
Vernon

Officer  
Reilly

Precinct  
30

Witnesses

No.

Street

No.

Street

No.

Street

No.

Street

to answer  
300  
Baker

Received in custody of Police  
to pass Bail Sept 16/92

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

Defendant

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

Dated, Sept 12 1892 John P. Woodhull Police Justice.

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

Dated, Sept 13 1892 John P. Woodhull Police Justice.

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

Dated, 1892 Police Justice.

POOR QUALITY  
ORIGINAL

0639

New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

Julius S. Brown

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

Believe that the defendant has been sufficiently  
punished since, and the accident occurred  
and I have no desire to further prosecute  
the case - and I respectfully request  
that my charge may be dismissed.

Subscribed before me this }  
20<sup>th</sup> day of October 1893 } J. H. M. M. M.

J. H. M. M. M.

County of New York  
Clerk

POOR QUALITY  
ORIGINAL

0640

CITY AND COUNTY } ss.  
OF NEW YORK.

POLICE COURT,

5<sup>th</sup> DISTRICT.

of No. 235 East 36<sup>th</sup> Street, aged 36 years,  
occupation Decorator being duly sworn, deposes and says  
that on the 11<sup>th</sup> day of September 189 2  
at the City of New York, in the County of New York Julius S Brown

(now here) who did willfully and maliciously  
injure and destroy a certain living animal  
(to wit) a <sup>living</sup> horse, by willfully driving a horse  
attached to a wagon, into <sup>said</sup> horse in charge  
of respondent, causing damage to the amount  
of one hundred dollars, property of respondent  
whereupon respondent asks that said defendant  
may be dealt with according as the  
law directs.

Thomas F Mullen

Sworn to before me, this 12  
of Sept 189 2

John W. Mullen Police Justice

**POOR QUALITY  
ORIGINAL**

0641

OFFICE OF  
THOMAS F. MULLEN,  
DECORATOR  
AND  
GENERAL CONTRACTOR,  
For Repairs on Buildings,  
589 THIRD AVENUE,  
Near 39th Street,

New York, Oct. 19, 189

Hon. De Lancy Nicoll,

Dear Sir:

I am in receipt of a notice dated the 16th. inst. which was left at the place I formerly resided-to appear against one Julius S. Brown,

~~the said notice~~ the said notice did not reach me until the 18th. inst. at which time it was too late to appear.

I am also in receipt of another notice to appear on the 19th. inst (to-day) which I did not receive till after noon-time, as I was out of the city.

I would respectfully state that it is almost impossible to get my witnesses at so short a notice, and I do not think that the ends of justice would be benefitted by the prosecution of said defendant, as he no doubt has suffered mental anguish sufficient to teach him a lesson for his reckless driving.

Therefore I would respectfully ask that you discharge the defendant, as from reports, I find him to be a respectable person,

Very respectfully yours

*Thomas F. Mullen*

POOR QUALITY  
ORIGINAL

0642

Court of General Sessions of the Peace

517

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

*Julius D. Brown*

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

*Julius D. Brown*

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

The said *Julius D. Brown*,

late of the City of New York, in the County of New York aforesaid, on the *seventh*  
day of *September*, in the year of our Lord one thousand eight hundred and  
ninety- *two*, at the City and County aforesaid, with force and arms, *one horse*

of the value of *two hundred dollars*,  
of the goods, chattels and personal property of one *Thomas X. Mullen*,  
then and there being, then and there feloniously did unlawfully and wilfully *injure* to  
the amount of the value of *one hundred*  
*dollars*, by then and there *forcing* and  
*driving* against the said horse, a *cart* wagon  
drawn by a *cart* other horse then and there  
*being* driven by him the said *Julius D. Brown*,  
thereby with the said horse and wagon *reforced* and  
drive as aforesaid, *injuring* *beating* and *wounding* the said  
horse of the said *Thomas X. Mullen*, and *injuring* the said  
horse to the amount of the value aforesaid,  
against the form of the statute in such case made and provided, and against the peace of the People  
of the State of New York and their dignity.

*Edmund Meall.*  
*Attorney*

0643

**BOX:**

493

**FOLDER:**

4501

**DESCRIPTION:**

Buckley, William

**DATE:**

09/26/92



4501

0644

**BOX:**

493

**FOLDER:**

4501

**DESCRIPTION:**

Kehoe, William

**DATE:**

09/26/92



4501



POOR QUALITY  
ORIGINAL

0645

Witnesses:

Walter t  
Wardman  
Secy of No. 1  
Revised  
Worshipman's Rem't  
to Malcom  
1-5

Sub Capt  
Lavery to office  
Vallley  
cho 21 Ch rery  
bad  
cho 7. Ch. rery  
good. from office  
47

Counsel

Filed

Plays

THE PEOPLE

vs.

William Bruckley  
412 219 2  
William Kehoe

DE LANCEY NICOLL,  
Attorney.

1907 Nov 26  
Oct 2 2:46  
Oct 4 1892

A TRUE BILL.

Foreman.

1907 Nov 26  
Oct 2 2:46  
Oct 4 1892

189

Grand Larceny,  
(From the Person)  
[Sections 228, 229,  
Penal Code.]

POOR QUALITY  
ORIGINAL

0646

Witnesses:

Winters  
withdrew  
pled of No. 1  
Dennis  
Worshipper Bente  
pro Mule  
1-25

Sub Capt  
Lavery & Officer  
Talley  
cho 22 Ch very  
bad  
cho 7. Ch. very  
good. from office  
87

Counsel,  
Filed,  
Pleas,

THE PEOPLE

vs.

William Buckley  
412 East Lake  
William Kehoe

DE LANCEY NICOLL,  
Attorney.

1901. Nov 26/92  
cho 2. 2-16 3-15  
Oct. 4, 1992

A TRUE BILL.

Foreman.

Foreman.

Oct 2- Oct. 4/92  
No. 2 Pleas. Quicker. Li. Pleas. 7/92

POOR QUALITY  
ORIGINAL

0647

Police Court

14 District.

Affidavit—Larceny.

City and County } ss:  
of New York, }

of No. 410 W. 56<sup>th</sup> Street, aged 42 years,  
occupation Housekeeper being duly sworn,  
deposes and says, that on the 19 day of Sept 1892 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 and person nighttime, the following property, viz:

One pocket-book, containing  
sums of Two Dollars

the property of

deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-  
ously taken, stolen and carried away by William Buckley and

William Kehoe (both now here)  
from the fact that on said date  
deponent was standing at 49<sup>th</sup> St  
& Eighth Avenue looking at a  
parade. That deponent felt  
some one putting his hand in  
her pocket and as deponent  
turned around she saw the def-  
endants run away. That depon-  
ent is informed by Captain  
William S. Devoy, of the 32<sup>d</sup>  
Precinct that he saw said def-  
endants walking rapidly around  
the corner of 47<sup>th</sup> St & Eighth

Sworn to before me, this

of

189

Police Justice.

POOR QUALITY  
ORIGINAL

0648

Answer. That he followed them  
and caught said defendants  
in a water closet with said  
pocket book in their possession.

That deponent has since seen  
said pocket book and identified  
the same as the pocket book  
taken from her by said def-  
endants on said date.

Therefore she charges said  
defendants with the Larceny  
of said property and prays  
that they be dealt with as  
the law directs.

Sworn to before me this }  
27 day of September, 1892 } Ellen O'Brien  
J. H. Smith }  
Police Justice

POOR QUALITY  
ORIGINAL

0649

1877.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William S. Devery*

aged \_\_\_\_\_ years, occupation *Captain 32<sup>d</sup> Precinct No. 1*

\_\_\_\_\_ Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of *Allen O'Brien*  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this *27* day of *Sept* 189*2* *William S. Devery*

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

POOR QUALITY  
ORIGINAL

0650

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss:

AP District Police Court.

William Kehoe 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 sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

William Kehoe

Question. How old are you?

Answer.

26 yrs.

Question. Where were you born?

Answer.

U.S.

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

Answer.

412 E 18 St - 15 yrs

Question. What is your business or profession?

Answer.

Work in Sagar Store

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

Answer.

I am not guilty

William Kehoe

Taken before me this

day of Sept 1892

Police Justice.

POOR QUALITY  
ORIGINAL

0651

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

*William Buckley* 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 sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

*William Buckley*

Question. How old are you?

Answer.

*19 yrs.*

Question. Where were you born?

Answer.

*U.S.*

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

Answer.

*322 E. 38 St - 3 yrs.*

Question. What is your business or profession?

Answer.

*None business*

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

Answer.

*I am not guilty*  
*Wm Buckley*

Taken before me this

*27*

day of *April* 189*7*

Police Justice.

*William*

POOR QUALITY  
ORIGINAL

0652

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

Police Court---

District---

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*William A. Quinn*  
*440 W. 56th St.*  
*William Russell*  
*William Kehoe*

Offence

*Larceny from the Person*

Dated *Sept 21st* 18*92*

*William Kehoe* Magistrate.

*William Russell* Officer.

*James Halliday* Precinct.

*James Halliday* Precinct.

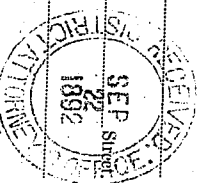
*James Halliday* Precinct.

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

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

No. *1000* *W. 56th St.* Street \_\_\_\_\_

*44*



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

*defendants*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *10* Hundred Dollars, *Each* and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *Sept 21st* 18*92* *William Kehoe* Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.



**POOR QUALITY  
ORIGINAL**

0653

ST. GABRIEL'S CHURCH,  
308 EAST 37TH STREET  
NEW YORK.

*The Hon. Recorder Smyth*  
*Addressing*

POOR QUALITY  
ORIGINAL

0654

Grand Jury Room.

PEOPLE

vs.

Peap &  
Buckly.

If the Defendant  
Buckly means  
to withdraw his  
plea & plead not  
guilty I have  
no objection.

D.L.N.

POOR QUALITY  
ORIGINAL

0655

ST. GABRIEL'S CHURCH,  
308 EAST 37TH ST.

NEW YORK,

Oct 6<sup>th</sup> 1892

The Hon. Recorder Smyth.  
Honorable Sir:

I desire to appeal  
to your clemency in behalf of  
Wm. Busby, who is to appear  
before you to-morrow.

He has always enjoyed a  
good reputation. His father and  
his uncle are respectable and  
good-farming.

Should you kindly pass by  
with a reprimand this young  
man's first offence, I feel  
confident that he will be  
more cautious in selecting  
his company in the future.

POOR QUALITY  
ORIGINAL

0656

Yours very respectfully  
Wm. J. Guinan.

The Hon. Recorder Smyth

POOR QUALITY  
ORIGINAL

0657

504

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*William Buckley*  
and  
*William Kehoe*

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

*William Buckley and William Kehoe*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

*William Buckley and William Kehoe, both*

late of the City of New York, in the County of New York aforesaid, on the *19th*  
day of *September* in the year of our Lord one thousand eight hundred and  
ninety-*two*, in the night-time of the said day, at the City and County aforesaid,  
with force and arms,

*the sum of two dollars in*  
*money, lawful money of the*  
*United States of America, and*  
*of the value of two dollars,*  
*and one pocketbook of the value*  
*fifty cents*

of the goods, chattels and personal property of one *Ellen O'Brien*  
on the person of the said *Ellen O'Brien*  
then and there being found, from the person of the said *Ellen O'Brien*  
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.

**POOR QUALITY  
ORIGINAL**

0658

SECOND COUNT—

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

*William Buckley and William Kehoe*

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

The said *William Buckley and William Kehoe*, both

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,

*the sum of two dollars in money  
lawful money of the United  
States of America, and of the  
value of two dollars, and one  
pocketbook of the value of fifty  
cents*

of the goods, chattels and personal property of one *Ellen O'Brien*

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

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

*William  
Buckley and William Kehoe*

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

DE LANCEY NICOLL,

*District Attorney.*

0659

**BOX:**

493

**FOLDER:**

4501

**DESCRIPTION:**

Burns, James F.

**DATE:**

09/16/92



4501

POOR QUALITY  
ORIGINAL

0660

Witnesses:

John Meacham

535-Grinnell

Counsel,

Filed

Plends,

THE PEOPLE

vs:

James T. Burns

Supplied in the [Section 49] degree.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Sam. T. C.*

Foreman.

Part 3. Sept 20/92

Fixed and copied -

Sept 16/92

Petit Jury

1st Gross per [illegible]



POOR QUALITY  
ORIGINAL

0661

Police Court—2 District.

City and County } ss.:  
of New York,

of No. 593 Greenwich Street, aged 47 years,  
occupation grocer being duly sworn

deposes and says, that the premises No 593 Street,  
in the City and County aforesaid, the said being a two story frame  
building  
and which was occupied by deponent as a store and dwelling on 1st floor  
and in which there was at the time a human being, by name

Margaret Cullen  
were BURGLARIOUSLY entered by means of forcibly opening the  
window shutters and entering a rear  
windown

on the 3d day of September 1888 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz: attempts was  
made by deponent to steal a quantity  
of groceries of the value of ten dollars  
and the deponent actually took  
several cents from the money drawer  
of said store

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

James J. Thomas  
for the reasons following, to wit: deponent securely locked  
and closed said premises shortly after  
one o'clock in the morning, and deponent  
awoke about the hour of 3.30 o'clock  
A.M. on said date and discovered the  
deponent in the act of stealing behind  
the counter of said store, and deponent  
was at once arrested by Policeman Whelan  
of the 9th Precinct.

Margaret Cullen  
sworn

POOR QUALITY  
ORIGINAL

0662

(1835)

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK.

2  
District Police Court.

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

Question. What is your name?

Answer.

*James F. Burns*

Question. How old are you?

Answer.

*27 years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*601 Greenwich St. 3 months*

Question. What is your business or profession?

Answer.

*Clerk*

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

Answer.

*I am not guilty*  
*James F. Burns*

day of

Taken before me this

189

Police Justice.

POOR QUALITY  
ORIGINAL

0663

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

Police Court---

District

164

1108

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

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Offense

Dated, \_\_\_\_\_ 189

Magistrate

Witnesses

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

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

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

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

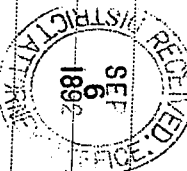
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No. \_\_\_\_\_



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 Dejen Hawk

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, Sept 4 189 H J White Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

**POOR QUALITY  
ORIGINAL**

0664

2/92  
35-02  
THE PEOPLE

COURT OF GENERAL SESSIONS, PART III.

VS

BEFORE RECORDER SMYTH.

JAMES F. BURNS.

Tuesday, September 20, 1892.

Indictment for burglary in the second degree.

A Jury was empannelled and sworn.

MARGRAET CULLEN, sworn and examined:

Are you a married lady? Yes, I am a widow, I live at 593 Greenwich Street, this city. How big is the house in which you live, how many stories? Two. It is a frame building instead of brick is it not? That I could not tell you; I live on the first floor, the front room is the store and the rear room is occupied by myself; I live and sleep there. There is a door communicating with the bed-room and grocery store. What time did you go to bed that night about? I think, half past 12, I locked up before I went to bed; it was a kind of a close night and I left the window up, I always left the window a little up, but closed the shutters. There is no air in the room at all from the front door being closed. Nobody could get in that opening of the shutters? No. I was woke up, I could not tell what woke me, about half past 3; the first thing I looked out in the store, I always leave a light there. I says, you vagabond thief, what brought you there? Who was the vagabond thief? Burns; I had seen him and known him before that morning, he was often in the store. He was behind the counter and he had all the drawers open; there was only 17 cents in those drawers and he threw one of the pennies on top of the glass case, he only took 15 cents, he left one penny in the drawer; I did not see him taking it, I only saw it was taken. He was standing in front of the drawer and the drawer was open. When you went to bed that night how much money was in that drawer? 17 cents. When I found him in

**POOR QUALITY  
ORIGINAL**

0665

there there was only one penny in the drawer; I did not look until I got back from the station house. There was one cent on the top of the drawer. When I caught him with the drawers all open, I said, you vagabond thief what are you doing there? He said, nothing. I asked him what brought him there and he said, nothing. I got up in my night dress and I got hold of him and I shoved him; I gave him a couple of punches. My little boy woke with the noise; Burns took the chair to kill me, he said he would have my life for calling him a thief. I screamed; there was some boarders in the house, I had three boarders, one of them woke and caught him with the chair there and then, that boarder is not here. This man knocked him down on the floor; he says, what do you intend to do, do you intend to kill the woman? He said, yes. With that my little boy, he was looking for a policeman, opened the door; he says, mama, here is a policeman. When the policeman came in Burns got out the back door. I am sure that is the man, I knew him before, he had been in my store to buy goods, but not at half past three in the morning. What was the condition of the window at half past 3? The window was raised up the same as any person would to let in air from the bottom, the shutters were shut. Were the outside shutters shut? Yes, they were shut from the back, they were opened at half past three. The door was locked. Was it bolted when you caught him? I did not look, he got out before I had a chance to look. The outside shutters were closed in, they were not fastened, I shoved them in tight, no fastening. They were wooden shutters, with a little cut in the top of them for light. You closed those tight did you when you went to bed? Yes. When you came out and discovered this man there you found that those shutters that had been closed were open? I never noticed until I got back from the station, they were open then. How much was the

**POOR QUALITY  
ORIGINAL**

0666

window opened? It was opened from the bottom because I can't let them down from the top. There was a nail. The wooden shutters were not fastened at all, there was no hook, no fastening of any kind. The wind could blow them open? No.

**CROSS EXAMINATION:**

How long have you known this defendant? I could not tell exactly how long I know him, I seen him in the store, I know him about a month or two, I am not a year in the place. He had been in the store a good many times. He was in your store earlier that night with three or four people? Yes, some neighbors was in; he came in with one woman in the rear, and he remained for 10 or 15 minutes in the store. You had some beer there? No, not a drop of beer in his presence was ever got. Was there a Mrs. Meehan in the premises that night? She was in my room sitting on the chair, asleep, I do not remember the house, she lived in the rear, she moved away in the next block. Her son went to a picnic and she came down to the house; she said she was lonesome. She remained in the chair asleep? Yes, alongside the bed; I went to bed at about half past 12 or a quarter to 1. As soon as you called this man a thief didn't he say, "I have taken nothing from you, I have some in here to take Mrs. Meehan home"? No, not until afterwards he said that. When did he first say that he came into the place to take Mrs. Meehan home? When Mr. Keefe was taking the chair off him. He said, if you call me a thief I will hit you with a chair, he said he was not a thief. The money was a ten cent piece, a five, and two pennies. Didn't he and the officer go out the back way? No, the officer took him out the front door, I think. Did you notice the back door open after you returned? No, I never seen the back door until I got home from the station house, I went out the front door.

3 When you came back was the back door open? Mrs. Meehan had

**POOR QUALITY  
ORIGINAL**

0667

opened it. He was arrested behind the counter, his back was to the counter and he opened all the drawers. There was a statement made when her little boy got the policeman he went out the door? So he did, he went out the back door, this man did. He was not arrested in the store, the officer arrested him outside the door, out in the alley, I think the officer brought him right in. The officer asked him where was his coat and he said it was inside. This window that you speak of was it the front window? No, the back window, looking towards the yard, the window was raised up and the shutters shut in.

JAMES WHELAN? sworn and examined:

What precinct do you belong to? 9th precinct. Did you arrest the prisoner on Sept. 3rd? Yes. What time in the morning? About half past 3, in front of 595 Greenwich Street, that is right next door to where the burglary was committed. You arrested him on Mrs. Cullen's complaint? Not that time; as I was going by I heard loud talking in the store. Right next to the store is an alley; there was a woman's voice inside saying, "you thief, what are you doing in here?" Half a minute later I saw a man come out of the alley, then I arrested him. I asked him what the trouble was; he said, nothing; I said, you had better come back, and as I started to go back the lady's son opened the door; I took him inside; the lady accused him of being there, in the store. He denied being there first, I asked the lady about it. She said when she woke up she found him behind her counter and I asked him if it was so? He said, no, he stood at the corner of the counter, that he came in after a lady that was sleeping there, in the house, that this lady's son had sent him in after her. Did he say how he got in? He did not. Whether he knocked at

**POOR QUALITY  
ORIGINAL**

0558

the door for permission to go in? He said he came in there through the back door. Did you examine the window at the time you arrested him? I did. Were the shutters then open? Yes. Did you search the defendant? I did, I found 21 cents and a pawn ticket for a coat and vest. In what money was the 21 cents? Two dimes and a penny. Did you show them to the complainant? She saw me when I searched him before the desk in the station house. Did she recognize the two dimes and the penny? No, she said that there was a dime a nickle and two pennies. He denied being in the store or being behind the counter? He denied it at first; he said to me outside he was not in the store, but afterwards in the store he said he was in there for this lady that was in there sleeping on the chair. Go over the conversation you had with him outside? I laid my hand on him and asked him what the trouble was? He said, there is nothing the trouble, Jim. I said, you had better come back until we find out. I knew him. We started back. There was nothing more said until we got to the door and her son opened the door.

**CROSS EXAMINATION:**

You knew this defendant for a number of years? I have known him for three or four years. You have known his general reputation for honesty? I never knew him to be any other way. Has his reputation up in that neighborhood been good or bad as to honesty? It has been good as to honesty. When you arrested him did he have any shoes? No, he had no shoes, bare feet. What excuse did he give for being in a stranger's room at three o'clock in the morning without shoes? He said that he went up to the alley to sleep, he had taken his shoes off up there. I asked him where his shoes were, I could not find them; he went with me; he said they must have been taken away by some one. He did not tell you just as he was getting in



**POOR QUALITY  
ORIGINAL**

0669

the window he took them off? No. What was his condition as to sobriety? He had been drinking.

THE CASE FOR THE DEFENCE:

JAMES F. BURNS, sworn and examined:

Where do you live? 601 Greenwich Street. Where is the last place you worked? The last place I worked was for a travelling man, named John O'Beirne, he is at present in Chicago. I have been in Bellevue Hospital since the 1st of June from a fracture of the spine. I was clerk and book-keeper; I could not stay there. I worked for C. F. Beatty, corner of Mercer Street. I worked for Register Fitzgerald, in the City Hall Park, as folio writer; I could not say for how long a time, I worked up to the time the Fellow system came into effect. There was 106 kept on and 76 there was no work for; I did not work a year; I was only after getting a place four months previous to that. Have you ever been arrested? I was arrested for shooting off fire-works on the fourth of July, but never for anything of this kind. I have known the complainant since she has been in the neighborhood, I guess that is very near a year. You went into her store frequently? Yes. Were you in her store this night in question? Yes, I was in her store previous to that, to the best of my knowledge inside of an hour. I came along intending to go to sleep, there was a couple of boys at the alley after coming from a picnic; there was a lady standing outside her door and I got talking to her, she is a neighbor that lives in the rear house. This lady, Mrs. Cullen, comes out; she says, won't you come in? We did not accept her invitation. Finally we went in; they got dancing and singing. I left there. This lady went up in her house, I stayed in the hall for a few minutes, I dozed off, I took off my shoes; they hurt me. John Meehan was alongside of me. He

**POOR QUALITY  
ORIGINAL**

0670

said, is my mother in here? I said, I will go up and see. There was a small alley with no shutters, I looked in, I could see Mrs. Meehan sitting on the chair and Mrs. Cullen, fully dressed. I came out. How did you get in the back room? From the back door, the back door as open, the windows were open. I says to myself, if I go through the window I will get her & go home. He said (her son), no, leave her, she will "kick." I never was in the store proper, I walked in the back door way that was open. Did you steal 15 cents? No, I never had any intention. When I was arrested she said she lost a ten cent piece and a five cents piece. I had 21 cents when I was arrested, two ten-cent pieces and a penny. I never touched a cent. She called me a thief and grabbed gold of me. I was trying to wake Mrs. Meehan up, she was two or three feet from me. I said, wake up Mrs. Meehan. She, the complainant, woke up and hallood; that woke Mrs. Meehan; that was in the back room. Mrs. Cullen said, you thief. She grabbed my hat. I stood looking at her. She never attempted to touch me? If I was in a mind I could have rushed out of the place. The boarders were there all right. The one I seen was drunk, stupid drunk, the two other never got up to my knowledge .

**CROSS EXAMINATION:**

At half past three when she said "you vagabond thief, what are you doing there," where were you? I was not in the store at the time. She swears she was in her bed and heard a noise and jumped up and went into her store, saw you with the drawer open and said, "you vagabond thief, what are you doing there" do you tell this jury you were not there? No, I was not there I heard her say so, and I say I was not. I was in her store previous to this. What business had you going into her bedroom at half past three with two ladies in bed. I wanted to get Mrs. Meehan, I was after calling her. Mrs. Cullen was

**POOR QUALITY  
ORIGINAL**

0671

laying on the bed and the other woman was sitting on the chair three feet from me. Her boarders were lying right there. I wanted to get Mrs. Meehan woke up. You told the officer you took your shoes off when you went into the alley to sleep? He misunderstood me, I said I was going to sleep; so I was. The door 601 Greenwich Street was locked; by going through 599 you could go on the roof. I was n t in the store when this lady called me a vagabond thief, I was in the room. I did not threaten to take her life with the chair, I put my hand on the chair; I was so mad at her for accusing me of being a thief. I was not near the drawer. She swears I took 15 cents; I was arrested on the spot and had 21 cents of my own money, two tens and a one. I did not take my shoes off quietly and go in as a thief, I never touched the window, the door was wide open and I walked right in. She says she bolted the door when she went to bed. I will swear that the door was open, I did not go through the window; the door was open about that (showing). The Meehan boy told me to leave her alone, she would only make a row. I said, I will get her out for you Jack. Why did you take such an interest in Mrs. Meehan as to go in at half past three o'clock in the morning, are you an intimate friend of hers? Yes. Are you in the habit of getting her when she is tipsy at half past three in the morning? I did not say she was tipsy, I did not go at half past three; I was only 20 feet from where she was; anybody could have walked in there. Her son earns his money and does not drink. I was not drunk.

MARGRAET CULLEN, recalled:

As I understand it you fastened those shutters every night by pushing them taut? Yes, I went out into the yard to do that. The back door going into the yard goes into the kitchen; O  
8 come out of my bed-room, it is a little sitting room and bed-

**POOR QUALITY  
ORIGINAL**

0672

*James Whelan  
1300  
Jefferson  
Market*

room together, I come out into the kitchen and the door is there (pointing). The bed-room and sitting room is all one. You go from your bed-room into your kitchen and it goes into the yard looking into the kitchen? Yes; there was a fence around the yard. The hallway came in off the street. Your shutters were up so that anybody who was in the hallway and had taken off his shoes could come into the yard and through the window? Yes. I bolted the door before I went to bed, there was no lock only two bolts, there is a lock on the front door. The door leading into the bed-room was open communicating to the store. I am all alone with my little boy. The Wednesday before that I got boarders, three friends of mine, the defendant thought there was no one with me. There are three rooms back of the store, I slept in the middle one, there is an extension off that room, the men slept in the extension. One of the men was John Donohue and one was John Comfrey, they were not awakened that night. The other boarder lay in the kitchen, on the sofa, he woke up when I screamed, he is working now.

JAMES WHELAN, recalled:

You were in the police court the next morning when this man was arraigned before the Police Judge were you not? Yes, in Jefferson Market. Do you remember what the complainant said in regard to where this man was arrested? Yes, she said, I had arrested the man in the store.

The Jury rendered a verdict of GUILTY of PETTY LARCENY.

POOR QUALITY  
ORIGINAL

0673

and then continued a series of circles of which I was the center.

and started the men in the store.

In regard to where this man was arrested, yes, the wife, I  
remember that. No, I don't remember what the circumstances were  
was discussed before the police and he was not told. Yes, in  
don't know in the police court and I don't remember when this man  
was arrested.

He is working now.

Yes, in the kitchen, on the side, he was in when I was there.  
Completely, they were not arrested until later. The other person

extension. One of the men was going towards the one who was going  
there is an extension off that room, the men were in the

three rooms back of the store, I stayed in the middle one,  
and I remember that there was no one with me. There was

discussion before that I got somewhere, three minutes of time.

Yes, to the store. I was in the store with my friends. The  
door. The door leading into the back-room and when someone  
there was no lock on the door, there is a lock on the door  
the windows. Yes, I pulled the door before I went to bed.

and taken off his shoes and came into the yard and the other  
minutes were up so that suddenly who was in the hallway and

along the yard. The hallway came in off the street. Don't

the yard looking into the kitchen. Yes, there was a door  
don't go from the back-room into the kitchen and it goes into  
there (backing). The back-room and sitting room is all one.

room together. I come out into the kitchen and the door is

Testimony in the  
case of  
James P. Burns

filed  
Sept 1941  
33-36

POOR QUALITY  
ORIGINAL

0674

403

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*James F. Burns*

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

*James F. Burns*

of the CRIME OF BURGLARY in the *Second* degree, committed as follows:

The said

*James F. Burns*

late of the *9th* Ward of the City of New York, in the County of New York aforesaid, on the  
*third* day of *September* in the year of our Lord one  
thousand eight hundred and ninety-*two* in the *night*-time of the same day, at the  
Ward, City and County aforesaid, the dwelling house of one

*Margaret Cullen*

there situate, feloniously and burglariously did break into and enter, there being then and there a  
human being within the said dwelling house, with intent to commit some crime therein, to wit: the  
goods, chattels and personal property of the said

*Margaret Cullen*

in the said dwelling-house then and there being, then and there feloniously and burglariously to steal,  
take and carry away,

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

POOR QUALITY  
ORIGINAL

0675

SECOND COUNT—

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

of the CRIME OF

Petit LARCENY

committed as follows:

The said

*James F. Burns*  
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the Ward, City and County aforesaid, in the night-time of the said day, with force and arms,  
one silver coin of the United States of  
the kind called dimes, of the value of  
~~ten~~ ten cents, three nickel coins of  
the kind called five cent pieces of  
the value of five cents each, and sixteen  
coins of the kind called cents of  
the value of one cent each

of the goods, chattels and personal property of one

in the dwelling house of the said

*Margaret Cullen*  
*Margaret Cullen*

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

*DeLauncey Nicoll,*  
*District Attorney*