

0561

BOX:

493

FOLDER:

4501

DESCRIPTION:

Brown, Anna

DATE:

09/23/92



4501

POOR QUALITY ORIGINAL

0562

John W. Pittman
Counsel
Filed
Plends

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

THE PEOPLE
vs.

B
Anna Brown

DE LANCEY NICOLL,
District Attorney.
Sept 20th 1892
A TRUE BILL.

John T. ...
Foreman.
7/92
Indict. dismissed

Witnesses:

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

POOR QUALITY
ORIGINAL

0563

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 39th
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 could, to
wit; 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
39th 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 matter
may be dismissed, as she has terribly
suffered in her mind and reputation
by reason of said charge.

Sworn to before me this

6th 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 Banoffield
being duly sworn doth depose and say that
he is the Janitor of and has the charge
of the Building No. 268 West 39th Street
in the City of New York. That he knows
the defendant herein Mrs. Anna Brown,
that during the month of August 1892
she occupied apartments in said premises
which consisted of four rooms on the
first floor, that she was arrested while
occupying said rooms during the last week
in August charged with keeping a drinking
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, ^{said} she removed therefrom
in the said first week of last September.

Sworn to before me

5th day of December 1892

Thomas Banoffield
Notary Public
Co. of N.Y.

POOR QUALITY
ORIGINAL

0566

City and County of New York ss:

Henry A. Schoenbach
being duly sworn doth depose and say that he
is in the Wholesale and Retail Business Manu-
facturing Business at No. 41 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 he is innocent of the charge.

Sworn to before me

This 6th day of December 1894

Alfred W. Pittman
(Notary Public)

County of New York.

Henry A. Schoenbach

**POOR QUALITY
ORIGINAL**

0567

Henry Roberts of Pa.

013

02

POOR QUALITY
ORIGINAL

0568

City & County of New York vs:

Dr. James O'Reilly
No. D. of No. 247 West 49th Street, New
York being duly sworn doth depose
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^d day of December 1892 } James O'Reilly M.D.

~~James O'Reilly~~

(109) Notary Public
Co. of New York.

**POOR QUALITY
ORIGINAL**

0569

H. J. Kelly affiant

11

POOR QUALITY
ORIGINAL

0570

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. Deponent 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

5th day of December 1892.

Manuel J. Pittman

Mrs Myra Beach

(101) Notary Public,

Co of New York.

**POOR QUALITY
ORIGINAL**

0571

The People vs.,

vs.

Anna Brown,

*Affendant in being
of the Defendant.*

POOR QUALITY
ORIGINAL

0572

WOMAN'S INFIRMARY AND MATERNITY HOME,

247 WEST 49th STREET,

GRAINING SCHOOL.

New York, Oct 22nd 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'Leary M.D.

POOR QUALITY
ORIGINAL

0573

437 Fifth Ave.

New-York Oct. 23/59

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.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Patrick Curry

of No. 20th Precinct Street, in said City, being duly sworn says,

that at the premises known as Number 268 West 39a Street, 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

Miriam 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.

20 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 Missie Brown Patrick Curry of No. 26 West 39th Street, that on the 23 day of August 1888, at the City of New York, in the County of New York,

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

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 J. Ryan Police Justice.

Dated _____ 188

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.

The within named

Police Justice.

POOR QUALITY ORIGINAL

0578

(1885)

Sec. 198 - 200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Annie 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 *h*, that the statement is designed to enable *h* if he see fit to answer the charge and explain the facts alleged against *h* that he is at liberty to waive making a statement, and that *h* waiver cannot be used against *h* on the trial.

Question. What is your name?

Answer. *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*

Question. What is your business or profession?

Answer. *Keeps 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

Sept 27
189

Police Justice.

POOR QUALITY ORIGINAL

0579

BAILED,
 No. 1, by Henry Decker
 residence St. Vrain Street
 No. 2, by _____
 residence _____ Street
 No. 3, by _____
 residence _____ Street
 No. 4, by _____
 residence _____ Street

Police Court 216 District 2

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Patrick Murphy
Stuart Gardner

Offense Keeping
Boothful House

Dated Aug 26 1892

John Ryan Magistrate
John Ryan Officer

Witnesses
Phos Schae Precinct 28

No. _____ Street _____
No. _____ Street _____
No. _____ Street _____



No. 500 Street _____
to answer _____

Admitted
500 St Aug 26-1892

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 Alfredant

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 1892 John Ryan Police Justice.

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

Dated, Aug 27 1892 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" St.

New York

Dec. 1st 92.

Ed Judge Pettman:
New Riv

Miss 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
department.

Very truly

M. Anderson

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

POOR QUALITY
ORIGINAL

0581

Court of General Sessions of the Peace

470

OF THE CITY AND COUNTY OF NEW YORK.

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 *20th* Ward of the City of New York, in the County of New York aforesaid, 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 unlawful 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 subversion of and against good morals and good manners, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

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:

Counters, *Jan 3 17 1892*
Filed, *[Signature]*
Pleads, *[Signature]*

1892

INJURY TO PROPERTY.

[Section 654, Penal Code.]

THE PEOPLE

vs.

B

Augustus L. Brown

DE LANCEY NICOLL,

District Attorney.

Put off until 6th January in Court

Pro. 22 no 92

A TRUE BILL.

Ormond.

James Talbot

Foreman.

Party III Jan 4 1892

27th Jan 1892
Edw. S. Johnson 1892
Witness and Acquainted

POOR QUALITY
ORIGINAL

0586

District Attorneys Office.
City & County of
New York.

Nov. 15th 1892

Mr Taylor:

My dear Sir:

I should be obliged if you
could drop in at the District
atlys. 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 9th an Elevated R.R. on the
20th of August.

Very truly yours.

Robert J. Johnson.

No.

POOR QUALITY
ORIGINAL

0587

District Attorneys Office.
City & County of
New York.

Nov. 15th 1892

Mr Taylor:

My Dear Sir:

I should be obliged if you
could drop in at the District
atlys. 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 9th an Elevated R.R. on the
20th of August.

Very truly yours

Robert Johnson.

To.

POOR QUALITY ORIGINAL

0588

District Attorneys Office.
City & County of
New York.

New York, N.Y. 18

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 - 9th 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.

Mrs. Keobling (Mrs. Singer) 421 W. 44th St.
New York City

POOR QUALITY
ORIGINAL

0589

District Attorneys Office.
City & County of
New York.

Oct. 13, 1892.

Mr. Townsend:-

Dear Sir:-

I have been wanting
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.
The firm 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

0591

August 26/92. 86 Marion St. Brooklyn
To Mr. Townsend Asst. Sec^y 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 ~~received~~ 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. Peckston.

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. Hennings 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 4th day)
of January, 1893.)

A. L. Brown

*Paul McManus -
Robert Purdy
W. C. ...*

POOR QUALITY ORIGINAL

0593

DISTRICT POLICE COURT.

THE PEOPLE,
ON COMPLAINT OF

Lilla Brown

Examination had

Aug 25

188*2*

vs.

Augustine L. Brown

Before

John J. Ryan

Police Justice.

I, *Walter L. Cramble* 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 *Lilla Brown, Augustine*

L. Brown et al

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

Dated *Aug 30*

188*2*

Walter L. Cramble

Stenographer.

John J. Ryan
Police Justice.

POOR QUALITY
ORIGINAL

0594

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

The People vs
Lalla Brown

vs
Augustus L. Brown

Examination Before Justice Ryan
Aug 25 1892

For the People - Asst Dist Atty Townsend
Dft Jan 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
in due and examined.

Examined by du Mc Clelland

Q - Are you unmarried?

A Yes Sir

Q At what time did you board
this elevated train

A at 25 minutes to 8 in the evening.

Q What station?

A Dearborn street, on the
9th Avenue St

Q At that time there was a large
number of persons on the cars:

A Yes Sir

Q Did you come with the throng
from the ferry?

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

Q You entered the car from the
platform?

A Yes

Q Did you take a seat?

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

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

A The rear.

Q Did you stand until you got
off the car?

A Yes Sir

Q The car was crowded when
you got on

A Crowded yes Sir

Q Did any people come in with you?

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

Q Did you stand near the door?

A Right under the door near the jamb

Q Did you stay there?

A All the time.

Q When did you first see the Defendant?

A When he commenced to pull at my dress I turned

Q About how long had you been there?

A Just a few minutes

Q Was he sitting or standing?

A Standing

Q When you came in?

A Yes, Sir

Q He was in front of you?

A He was behind me

Q Did you pass him?

3 A I could not pass him. He

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

Q Did you continually face the
front of the car?

A I faced directly the right
hand side of the car

By the Court

Q Which way?

A Facing the window.

Q He was behind you.

A Yes sir

By the Court

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

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

Q You say you felt this tug?
How long after?

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

Q You felt this tug

A Yes

Q Where?

A at my back

Q You were facing where?

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

Q You faced east?

A Yes.

Q And he stood?

A He stood behind me

Q Holding on?

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

Q Where was dependant?

A Behind me.

Q Where did you feel the tug?

A at my back

Q Did you say anything?

A No. I looked around

Q What was he doing?

A. He dropped his eyes when I
looked at him

Q 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.

Q Where was defendant?

A He was right on the car.

Q Did you say anything?

A I asked him why he did it.

He denied ^{it}, 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."

Q. 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.

Q Was that all the conversation?

A That was all.

Q Have you got the dress here?

A Yes.

Q 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 aware of 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.

Q Mr. Delland

Q. 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 Nobody I did not look
- 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 noticed
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 then present, and he
charged him in your presence
with cutting your dress, and she
said to him "You are the
rascal that pulled my dress

and you cut this lady down.

A Yes

Q When he was arrested;

A Yes.

Q How 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
veteran 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
hands." 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 &
~~was~~ there was no witness

The People Rest

Augustus L. Brown being

only sworn as a witness in his
own behalf deposes and says:

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.

Q Did you ever at any time cut her

Quess in any 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 sat 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 Cortland 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 anything 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 me
a friend to meet at the
47th Street Station. I was
willing to go with the officer.
There were a great many people
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.

Q Did you ever have any knife
in your possession

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

Q 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

Q Are you a married man?

A Yes

Q Are you guilty of this offense

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

18 Q Did you ever carry a knife

at all:

A I have carried pocket knifes
- a few knifes

Q You did not offer to leave
that with you:

A No sir, it was down to the
shop broken

Q Did you hear the 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.

Q 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"

Q 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 see 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 3a At 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 In the neighborhood of where you stood was there a great number?

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

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

A Yes. There was a great many around.

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

A No.

Q 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 as a witness for
the Defendant before and
says: I am employed as fore-
man of the Jewelry factory of
J. D. Vanman 19 John St.

Q How long have you known
the Defendant?

A Fifteen years

Q Do you see him often?

A I see him sometimes a
fewer time a day

Q What is his reputation among
those who know him?

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

The Defendant Brown recalled

The complainant Mrs Brown recalled

when this man was accused of
cutting you down?

A Yes.

Q Did you learn from him
whether he had a knife?

A That I could not say.

Q You were close enough to hear
if I could not say.

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

A Yes sir.

Can Examine

Q Did you hear that question
asked him on the car?

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

Defendant held to answer
\$500 bail.

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

POOR QUALITY ORIGINAL

0618

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 Molestation of a Minor (Fornication)

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 Seventh 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 February 1892 A. Ed Brown
John Ryan POLICE JUSTICE. Marks Miller

POOR QUALITY ORIGINAL

0619

CITY AND COUNTY }
OF NEW YORK, } ss.

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 36th Street
\$11,000 free and clear
Marion Miller

Sworn to before me, this 27th day of September 1893
John J. [Signature]
Police Justice.

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear during the Examination.

ss.

Taken the day of 18

Justice.

POOR QUALITY ORIGINAL

0620

CITY AND COUNTY }
OF NEW YORK, } ss.

POLICE COURT, 2 DISTRICT.

Calla Brown

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

(now here) who did willfully and
maliciously cut and destroy a Bedford
Cord dress worn on the person of deponent
and underclothing worn on deponents person
with some sharp instrument while deponent
was on one of the 9th Avenue Elevated Cars
as a passenger causing damage of
the amount and value of Forty
dollars the property of deponent

Calla Brown

Sworn to before me this
of 21 day
1882

[Signature]
Police Justice

POOR QUALITY ORIGINAL

0621

(1885)
Sec. 198-200.

2
District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Augustus C 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 *h m*; that the statement is designed to enable *h m* if he see fit to answer the charge and explain the facts alleged against *h m* that he is at liberty to waive making a statement, and that his waiver cannot be used against *h m* on the trial.

Question. What is your name?

Answer. *Augustus C 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. C. Brown

Taken before me this
day of *Sept* 189*9*
[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0622

BAILED

No. 1, by Mark Miller
Residence 60 Madison Street

No. 2, by _____
Residence _____

No. 3, by _____
Residence _____

No. 4, by _____
Residence _____

The Magistrate is satisfied that the defendant will appear and determine the matter

Police Justice

Police Court, District 1084

THE PEOPLE, vs
FOR THE COMPLAINT OF

Wella Brown
66 Madison
Magistrate Brown

Offense, That this felony

Date, Sept 27 1892

James Gallagher Magistrate

John P. Baker Officer

Witness John P. Baker

No. 86 Marion Street

No. 1 N. York

625 Street

John No. 617 - 617 - 9th Ave
North York 421 - 421 - 4th St

500 to answer

Aug 22, 11. a.m.

25 11. a.m.

Dated

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 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 27 1892 John Ryan Police Justice.

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

Dated, Aug 25 1892 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**

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 S. Brown

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

Augustus S. Brown

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

The said *Augustus S. 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 *Salla 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
P. Lambert
Off Meyer

Counsel,

Filed

day of

1892

Pleads,

THE PEOPLE

vs.

George Brown

Grand Larceny, *Recess Degree*
[Sections 88, 89, 532]

DE LANCEY NICOLL,
District Attorney.

Subst Sept 26. 92 B.S.W.
" I. Sept 29. 92 B.S.W.

A TRUE BILL.

James To be...
Foreman.

Subst - Oct. 3. 1892
which and sequited

W.M.H.

POOR QUALITY ORIGINAL

0626

Police Court 3rd District. Affidavit—Larceny.

City and County }
of New York, } ss:

of No. 104 East 11th Street, aged 32 years,

occupation liquor dealer being duly sworn,

deposes and says, that on the 20th day of August 1899 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 feloni-

ously taken, stolen and carried away by George Brown and

Frank Caldwell both now here for

the reasons that said property was

in deponent's apartments 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 con-

tinually associated with Brown. Deponent

is informed by Emmanuel Meyer now

here, a police officer that he found

the property here shown in the possession

of Samuel Sonnberg, a pawnbroker

doing business at 168 First Avenue

Sworn to before me, this _____ day

of _____ 189

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 deponent's 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} ~~search~~ about ^{the house} ~~the house~~ she would find the pawn ticket representing the clock, ~~at~~ 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 23rd August, 1892

Charles Lange

C. H. M.
Police Justice

POOR QUALITY ORIGINAL

0628

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

Bertha Hubsch
aged 22 years, occupation Domestic of No. 104 E 11th

Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Charles Lunge 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 1892 *Bertha Hubsch*

[Signature]
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

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

Sworn to before me, this 23rd day of August 1892 *Emanuel Meyer*

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0629

CITY AND COUNTY }
OF NEW YORK, } ss.

1021

Samuel Sonnberg
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 August 1892 } Sam Sonnberg

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0630

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss:

George 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 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 11th 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

33
[Signature]

POOR QUALITY ORIGINAL

0631

Sec. 198-200.

B

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss:

Frank Caldwell 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. *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* 189*2*

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, Etc.,
ON THE COMPLAINT OF

Charles J. Brown
George Brown
Edmund Goodwin
Edward G. Brown
George Brown

Offense, *Fraud*

Dated, Aug 23 1892

Hogan Magistrate.

Meyer Officer.

Witnesses *Wall of the*

Samuel S. S. S. S.

168 J. J. J. J.

106 & 111 S. S.

NO. 35
DISEMPOWERED
TO ASSIST
IN THE
CITY OF NEW YORK
1892

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

defendants

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

Dated, *Aug 23* 1892 *Hogan* 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 *h* 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

George Brown

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 recovers the dis-
charge of debt on his
own recognizance
Oct. 23rd - Stephen J. Trace
District Attorney

Counsel, *W. J. [Signature]*
Filed, *21st Sept* 1892
day of _____
Pleads, _____

219

INJURY TO PROPERTY.
[Section 654, Penal Code.]

THE PEOPLE

vs.

B

Justin S. Brown

I

DE LANCEY NICOLL,
District Attorney,
Sept 2 - Oct. 23, 1892.
debt discharged on his
own recognizance.
A TRUE BILL.

Jan [Signature]
Foreman.

F. J. [Signature]
Retained
Oct 15th 1892

POOR QUALITY ORIGINAL

0637

Sec. 198-200.

5

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Julius S. 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 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. 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 September 189

Handwritten signature of the official

Police Justice

POOR QUALITY ORIGINAL

0638

BAILED

No. 1, by *Charles J. Jones*

Residence *571 Ave 133*

No. 2, by *Walter Lewis*

Residence *59 West 133*

No. 3, by _____

Residence _____

No. 4, by _____

Residence _____

219
Police Court...
District
1147
1894

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel J. Muller

Julius J. Gorman

Offense *Reckless Driving*

Dated *September 12 1892*

Walter Lewis
Magistrate

Reilly
Officer

30
Precinct

Witnesses

No. _____
Street _____

No. _____
Street _____

No. _____
Street _____

No. _____
Street _____

No. *307*
Street *ES*

to answer

Walter Lewis

*Received in Court of Police Magistrate
5 years Bail Sept 16/1921*



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. Woodie* Police Justice.

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

Dated, *Sept 13 1892* *John P. Woodie* 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

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.

but 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
20th day of October 1893

Thos J. Murray

Thos G. McGuire
Clerk of Courts
C. P. G. L.

POOR QUALITY ORIGINAL

0640

CITY AND COUNTY } ss.
OF NEW YORK.

POLICE COURT, 5th DISTRICT.

of No. 235 East 36th Street, aged: 36 years,
occupation Decorator being duly sworn, deposes and says
that on the 11th day of September, 1892
at the City of New York, in the County of New York Julius S Brown

Sworn to before me, this 12 day of Sept, 1892

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

Thomas F Mullen

Julius S Brown
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 certain wagon
drawn by a certain other horse then and there
being driven by him the said Julius D. Brown,
thereby with the said horse and wagon so forced and
driven as aforesaid, to cause death, 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 Meill,
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 K
Wardman
Secy of No. 1
Revised
No. 1000000
Pro Manager
1-5

Sub Capt
Secretary to Officer
Vulley
No 21 Ch 1000
607
607. Ch. 1000
good friend officer
87

Counsel

Filed

Pleads

THE PEOPLE

vs.

William Brubaker
412 219 219
William Kehoe

DE LANCEY NICOLL,
Attorney.

A TRUE BILL.

Foreman.

29th 2/18/92
by of [Signature]

Grand Larceny,
(From the Person)
[Sections 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

1007
2-16
Oct. 4, 1892

[Signature]
[Signature]
[Signature]
Oct. 4, 1892
No. 2. Pleads Guilty & R. Pleas

POOR QUALITY ORIGINAL

0646

Witnesses:

Wentworth
withdrawn
Pena of No. 1
Bence
Worsham Bente
Pro Macione
1-5

Sub Capt
Lawrence to officiate
Yuleley
Ch. 21 Ch. 100
607. Ch. 100
good friend of
L.A.

Counsel,
Filed 2/6
day of Feb
1892

Plaintiff,
vs.
THE PEOPLE
vs.
vs.

William Buehler
No. 412 East 2nd St
William Kehoe

Grand Larceny,
(From the Person)
[Sections 828, 829, 830, Penal Code.]

DE LANCEY NICOLL,
Attorney.
No. 107. from book
Ch. 21, 2-16
Oct. 4, 1892

A TRUE BILL.

Foreman.
No. 2. Penal Code
No. 2. Penal Code
No. 2. Penal Code

290
1180

POOR QUALITY ORIGINAL

0647

Police Court H District. Affidavit—Larceny.

City and County }
of New York, } ss:

Allen O'Brien
of No. 410 N. 56th 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 49th
& Eight 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 22^d
Precinct that he saw said def-
endants walking rapidly around
the corner of 49th & Eight

Sworn to before me, this 19 day

of 189
Police Justice.

POOR QUALITY
ORIGINAL

0648

Quinn. 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 }
27th day of September, 1892 } Ellen O'Brien
J. J. [Signature] }
Police Justice

POOR QUALITY ORIGINAL

0649

1877.

CITY AND COUNTY }
OF NEW YORK, } ss.

William S. Devery

aged _____ years, occupation *Captain 32nd Precinct No.*

_____ 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. ...
Police Justice.

POOR QUALITY ORIGINAL

0650

Sec. 198-200.

AP

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

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 Seyer 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* 189*2*

Police Justice.

[Signature]

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
W^m Buckley*

Taken before me this

day of *Sept*

1911

189

[Signature]
Police Justice.

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

Edwin D. Quinn
 210 W. 56th St.
William Buckley
William Kehoe

3 _____
 4 _____

Offence *Larceny from the Person*

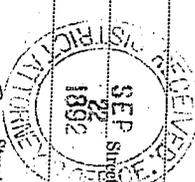
Dated *Sept 21st* 1892

William Kehoe Magistrate

Captain Quincy Officer

James Hallett Whittaker

300 Mulberry Street



No. _____
 \$ *1000* Bail
 Street _____

(E)

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* 1892 *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
Addressed

POOR QUALITY
ORIGINAL

0654

Grand Jury Room.

PEOPLE

vs.

People &
Buckley.

If the defendant
Buckley 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* 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
god-fearing.

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. Guider.

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

164 *J. J. [unclear]*

Counsel,
Filed *[Signature]* 189-
Plends, *[Signature]*

[Signature]
Supplem in the *[Signature]*
degree. *[Signature]*
[Section 49]

THE PEOPLE

vs:
[Signature]
James T. Burns

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

[Signature]

Part 3. Sept 20/92 Foreman.

Filed and copyistok
Petit Jury

[Signature]
W. Gross from [unclear]
Sept 20/92

Witnesses:

[Signature]
575 Greenwich

POOR QUALITY ORIGINAL

0661

Police Court - 2 District.

City and County of New York, ss.:

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

on the 3d day of September 1882 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 goods of the value of ten dollars
and the deponent actually took
out ten 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 2d Precinct.

Margaret Callen
Subscribed

Vertical stamp on the left margin, partially obscured by a signature.

POOR QUALITY ORIGINAL

0562

(1885)

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

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. *501 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

BAILLED,

No. 1, by _____
Residence _____ Street _____

No. 2, by _____
Residence _____ Street _____

No. 3, by _____
Residence _____ Street _____

No. 4, by _____
Residence _____ Street _____

Police Court... 1641
District... 1108

THE PEOPLE, vs.
ON THE COMPLAINT OF
James J. Sullivan
vs. Joseph H. White

Offense... Burglary

Dated, Sept 4 1892

Magistrate, James J. Sullivan

Witnesses, Callahan, Wilson

No. 15700A Street
\$15000 TO ANSWER

RECEIVED DISTRICT CLERK SEP 6 1892

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 Joseph H. White

~~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 1892 A. 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 he 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**

0555

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.

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

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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
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come out of my bed-room, it is a little sitting room and bed-

POOR QUALITY ORIGINAL

0672

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

THE ONLY PERSONS WHO WERE IN THE ROOM AT THE TIME...

AND STAYED IN THE ROOM...

IN ORDER TO MAKE SURE THAT THE MAN WAS ALONE... I
REMEMBER THAT... THE MAN REMAINED IN THE ROOM...
AND STAYED IN THE ROOM... THE MAN REMAINED IN THE ROOM...
AND STAYED IN THE ROOM... THE MAN REMAINED IN THE ROOM...

THE MAN REMAINED IN THE ROOM...

HE IS WORKING NOW...

THE MAN REMAINED IN THE ROOM... HE STAYED IN THE ROOM... I REMEMBER...

COMPLETELY ALONE... THE MAN REMAINED IN THE ROOM...
EXPLANATION... ONE OF THE MEN WAS COMING FROM THE ROOM...

THE MAN REMAINED IN THE ROOM... THE MAN STAYED IN THE ROOM...
THERE IS AN EXPLANATION OF THE ROOM... THE MAN STAYED IN THE ROOM...

THE MAN REMAINED IN THE ROOM... I STAYED IN THE ROOM...
THE MAN REMAINED IN THE ROOM... I STAYED IN THE ROOM...
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THE MAN REMAINED IN THE ROOM... I STAYED IN THE ROOM...

Testimony in the case of James P. Burns

filed Sept 1952

POOR QUALITY ORIGINAL

0674

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

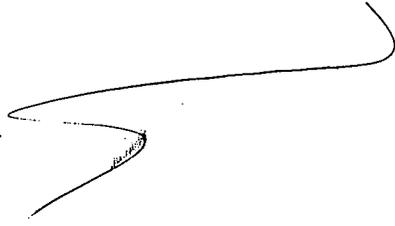
SECOND COUNT—

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

James F. Burns
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 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

Margaret Cullen

in the dwelling house of the said

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