

05 13

BOX:

363

FOLDER:

3415

DESCRIPTION:

Reilly, Hugh

DATE:

08/16/89



3415

Witnesses:

Off Roberts

Matthew Moore

211

Counsel,
Filed, 16 day of Aug 1889
Plends, Mr. Cuddy

THE PEOPLE,

vs.
H. W. H.
J. H. Cuddy

J. H. Cuddy

RECEIVING STOLEN GOODS.
(Section 350, Penal Code.)

JOHN R. FELLOWS.

12 Sept 20/89 District Attorney.
Fred & connected
with account to Henry

A True Bill City Prison one
Alfred Cuddy

Foreman.

0514

0515

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT—2—DISTRICT.

of No. The 20th Precinct Police Street, being duly sworn, deposes and
says that on the 18th day of August 1888
at the City of New York, in the County of New York, Hugh Reilly

knows that who did feloniously and knowingly
receive and buy two horse blankets from Michael
Kirwin for one dollar and twenty-five cents
well knowing the same to have been stolen
and wrongfully appropriated in violation of Section
550 of the Penal Code of the State of New York
for the reasons following to wit;

Deponent arrested Michael Kirwin now present
on a charge of Larceny the said Kirwin having stolen
said blankets from John White of No 536 West 40th
Street said Kirwin admitted and confessed
in open Court that he had stolen said blankets
and sold the said blankets to the defendant
Hugh Reilly for one dollar and twenty-five cents
below the value of said blankets being Eighteen
dollars

Deponent is further informed by Matthew Moore
of No 536 West 35th Street that the defendant
Reilly sold him said Moore the said blankets
for five dollars and the owner of said
blankets John White identified said
blankets as his property stolen from said
White's stable 536 West 40th Street

Wherefore deponent prays said Reilly may
be dealt with as the law directs

Sworn to before me
this 12th day of August 1888
John Roberts

Police Justice

05 16

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 17 years, occupation No occupation of No. City Prison

Street, being duly sworn deposes and

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

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

Sworn to before me, this 17

day of Aug

1887

Michael Kirwin

John Roberts

Police Justice.

05 17

CITY AND COUNTY }
OF NEW YORK, } ss.

Matthew Moore
aged 57 years, occupation Shackman of No.
455 West 35 Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of John Roberts
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

day of Aug 1888

Matthew Moore
John Roberts

Police Justice.

05 18

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 56 years, occupation Barman of No. 536 West 42

Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of John Roberts
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 12

day of Aug 1888

John White
J. Munn
Police Justice.

0519

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

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

Question. What is your name?

Answer. *Hugh Reilly*

Question. How old are you?

Answer. *48 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *542 West 41st St 20 years*

Question. What is your business or profession?

Answer. *Ice baskets*

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 giving the boy Kevin*
told me that he took \$10 from the last pay ment
for wages and him from the truckman he was
working for

Hugh Reilly
sworn

Taken before me this

day of

1887

Police Justice

0520

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.....

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

Dated. *Aug 12* *188* *J. Henry Bond* *Police Justice.*

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

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

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

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

0521

Police Court---

2

1195 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Roberts
vs.
Hugh Rickey

1
2
3
4

McClintock
John Goffe

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses.

No. *535 West 40* Street.

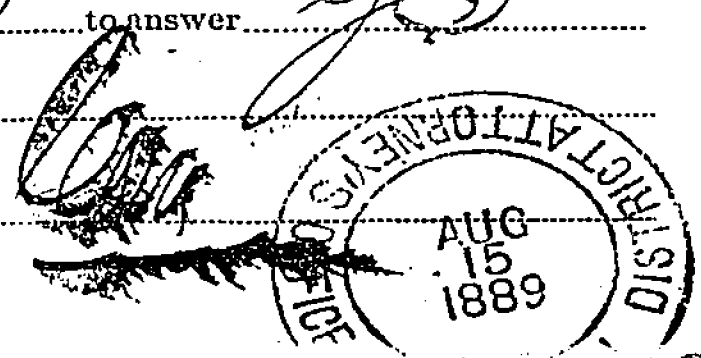
Michael Kirwin

No. *Leik Bros* Street.

Matthew Moore

No. *1155 West 35* Street.

\$ *500* to answer



0522

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

John R. Fellows

The Grand Jury of the City and County of New York, by this indictment,
accuse *John R. Fellows*

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

The said *John R. Fellows*,

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

*Two more warrants of the
value of nine dollars each,*

of the goods, chattels and personal property of one *John White*,
by one Michael Herwin, and
by certain *other* persons to the Grand Jury aforesaid unknown, then lately
before feloniously stolen, taken and carried away from the said

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

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

JOHN R. FELLOWS,
District Attorney.

0523

BOX:

363

FOLDER:

3415

DESCRIPTION:

Ricomo, Antonio

DATE:

08/12/89



3415

0524

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

Witness before S. J. 188.

Joseph Recino
Catholic Protector
415 Broome

0525

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the house of *Coroner's Office*
No. 67 *Park Row* Street, in the *1st* Ward of the City of
New York, in the County of New York, this *25* day of *June*
in the year of our Lord one thousand eight hundred and *89* before
M. J. D. Messener Coroner,
of the City and County aforesaid, on view of the Body of *Angelina Ricorno*

Twelve good and lawful men of the State of New York, duly chosen and
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said
Angelina Ricorno came to her death, do
upon their Oaths and Affirmations, say: That the said *Angelina Ricorno*
came to her death by

Injuries received by being struck on the
head, with a flat iron, in the hands of
her husband Antonio Ricorno at 49
Bayard Street June 18th 1889 about 10³⁰ am.

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

JURORS.

<i>Max L Jacob 327 Bowry</i>	<i>Fred Borron 48 Mulberry</i>
<i>Mcarris F. Wheeler 49 Bayard</i>	<i>Frank Falke 48 Bay</i>
<i>Harrois Daniel 51 Bay</i>	<i>Israel Wschau 4</i>
<i>Lein Alrick 8 Bay</i>	<i>Morris Levy 83 Bayard</i>
<i>Harrois Supers 67 Bayard</i>	<i>Paul Canale 51 Bayard</i>
<i>Moses Ricci 51 Bay</i>	<i>49 Mulberry</i>
	<i>Martin Smith 73 Mulberry</i>

M. J. D. Messener
CORONER, E. S.

0526

Coroner's Office.

TESTIMONY.

Officer George W. Smith Sixth Precinct being
 sworn says: I am one of Ward 4th
 On June 18/89 I was going through
 Bayard St. heard someone
 call Police - saw Officer White
 running up 49 Bayard St. I ran
 after him. I saw deceased lying
 on the floor bleeding from the head.
 I asked who did this. Officer White
 said this man pointing to the
 prisoner. I said what did he do
 this with + White pointed down to
 the floor to a flat iron (Exhibit 1)
 I then sent for an ambulance
 put Antonio Piccolo under ar-
 rest when the ambulance ar-
 rived the woman was dead
 Going to the station house I asked
 him what he killed his wife for
 He replied she killed my child + tried
 to kill me + I killed her.

George W. Smith

Taken before me

this

25 day of

June

1889

[Signature]
 [Signature]

CORONER.

0527

Coroner's Office.

TESTIMONY.

2

Rosa Levin ~~Levin~~ born [unclear] living at 49 Bayard St. I am married woman living with my husband on 18th June. — I heard screaming at 10³⁰ A.M. I ~~then~~ saw the accused strike deceased on the head with a flat iron — I became frightened & ran away — I ~~ran~~ back to my child — I saw deceased when she was dead — When I saw the accused strike deceased I ~~thought~~ she was dead & was still striking deceased

^{her}
Rosa Levin
mark

Taken before me.

this 2nd day of June 1889

[Signature]
CORONER.

0528

Coroner's Office.

TESTIMONY.

Joseph Ricomo states I am 9 years 9 months old. We formerly lived in 20 St^{South} Brooklyn. My father hit my mother with his hand when she would not cook right for him. My father struck my mother with a flat iron in No 49. I don't know the street. My mother was sewing a jacket & my father was sleeping at the table. He walked up & down & took a flat iron from a nail. He had the iron in his right hand & with the other knocked my mother down & struck her with the iron I don't know how many times. I saw blood all over my mother's face. They had no quarrel before. I recognize my father - he had no reason to strike my mother.

Joseph Ricomo
mark

Taken before me

this

20th day of

June

1889

[Signature]
M. B. Messer

CORONER.

0529

Coroner's Office.

TESTIMONY.

Anna Davis being sworn
 says she is at 49 Bayard St.
 she is the wife of my husband
 On Tuesday June 18th about
 11 am - I generally go to work
 but this day remained home
 washing - On Thursday all the
 tenants went out with the
 exception of ^{previous} witnesses & persons
 wife & children - I heard loud
 screaming. I looked out & saw
~~the prisoner~~ ^{swinging} with the flat iron in his
 hand - I saw deceased lying on the
 floor. & the prisoners hands covered
 with blood - I went to the fire es-
 cape to cry for the police but could
 not - I attracted the attention of
 a tailor who called the police
 The prisoner Ricardo ~~the~~ ^{the} man
 who struck deceased with a flat
 iron.
 Anna Davis

Taken before me

this

25 day of June

1889

N. J. Messers

CORONER.

0530

TESTIMONY.

W^m A. Conway M. D., being duly sworn, says:
I have made a post mortem examination of the body of
Angelina Ricomo now lying dead at
409 Bayard St and from such an examination
and history of the case, as per testimony, I am of opinion the cause of
death is Shock from Compound Comminuted Fracture
of Skull & Laceration of Brain

W^m A. Conway, M. D.
W^m A. Conway M. D. being sworn says, I made an Autopsy
on the body of Angelina Ricomo and found all the
organs of the body normal with the exception of a
trace of old pleurisy on right side. There was
on the exterior of the head a cut on left side
of face in front of the ear 3 inches long, another
over the left cheek bone about $3\frac{1}{4}$ inch long,
scalp wound behind left ear $2\frac{1}{2}$ by $3\frac{1}{4}$ inches
long communicating with Compound Comminuted
Fracture of the Skull. The Skull was smashed
and the brain lacerated, the left ear being
also cut off & almost torn from the head.
The cause of Death was Shock from
Laceration of the Brain & Compound Comminuted
Fracture of the Skull.

W^m A. Conway M.D.

Sworn to before me,

this 18th day of June 1889

[Signature]

CORONER.

0531

M. J. B. M.

No.

Quar.

188

AN INQUISITION

On the VIEW of the BODY of

Angelina Ricorno

Ricorno

whereby it is found that she came to

her death by

Shock

from

Compound

Commenced

fracture of the skull

and laceration of the brain

Inquest taken on the day

of 188 before

MICHAEL J. B. MESSEMER, Coroner.

Frank Falke

46 Bayard St

Brooklyn

Mrs. Price

51

Mott St,

Morris Levy

51 Bayard St.

Harris Shapiro

65 Bayard St

Levi Altvick

8 Bayard St

Mrs. Jacobs

327

Bowery

Mrs. Kleischer

44 Bayard St.

Horace Daniel

51 Bayard

Frederick Barroni

48 Mulberry

Struck on the head

with a hammer

by her husband, Antonio Ricorno

on June 1st, 188

at her home in Brooklyn

on West-Canton

left in the morning

at 10 o'clock

and was found

in the street

on 3/4 mile - about

around behind

car 2, by 34 and 35

Commenced

Compound

fracture of the skull

laceration of the brain

~~W. J. Adams~~
~~Coroner~~
~~Peter Walter~~
~~Coroner~~
Martin Smith
73 Mulberry

Isreal Wischansky, 83 Bayard
83 Bayard St.
Paul Canale
79 Mulberry St.

AGE	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
32 Years - Months - Days	Italy	Bayard St.	June 1st, 188

0532

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK } ss.

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

Question—What is your name?

Answer—*Antonio Ricarno*

Question—How old are you?

Answer—*35 years old*

Question—Where were you born?

Answer—*Italy*

Question—Where do you live?

Answer—*94 Park St*

Question—What is your occupation?

Answer—*Laborer*

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

Not guilty

A noimoiko

Antonio Ricarno
mark

Taken before me, this *25th* day of *June* 188*9*
R. J. J. Messers
CORONER.

0533

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
32 Years	Months	Days	Italy	49 Bayard St.	June 18/89

1886 — 1889
HOMICIDE.

AN INQUISITION. 958

On the VIEW of the BODY 959

Augustine Picerno

whereby it is found that A he came to
his Death by the hands of

Antonio Picerno

Interrogated taken on the 25th day

of June — 1889

before

119377
J. M. [Signature] Foreman.

Committed
Examined
Discharged
RECEIVED. JUN 19 1889 DISTRICT

Date of death

June 18/89
986

0534

~~986~~
2nd Year — 1889

HOMICIDE.

AN INQUISITION. 958

On the VIEW of the BODY of

Angelia Picono

whereby it is found that she came to

her Death by the hands of

Antonio Picono

Inquest taken on the 25th day

of June — 1889

before

M. J. B. 11
Magistrate.



Committed

Bailed

Discharged

Date of death June 28 1889

986

AGE		PLACE OF NATIVITY		WHERE FOUND		DATE	
Years	Months	Days				When Reported	
32			Italy		19 Bayview St.	June 28/89	

MEMORANDA.

0535

DR. MATTHEW D. FIELD,
115 EAST 40TH ST.

New York, Sept 9th 1889
Hon. H. H. Porter
President etc.

Dear Sir:

By order of our
Board I have examined
Antonio Riccio a prisoner
confined at the City Prison
& I have to report that he
is in my opinion insane

Respectfully Submitted

Matthew D. Field M.D.

Examiner in Lunacy.

To
The Commissioners of Public
Charities & Correction.

0536

Department of
PUBLIC CHARITIES AND CORRECTION,
Office of City Prison, Corner of Franklin and Centre Streets,

THOS. S. BRENNAN, Pres.
HENRY H. PORTER,
CHARLES E. SIMMONS.

CHARLES OSBORNE, Warden.

New York,

Sept 11th

1889

Hon Henry H. Porter -
President &c

My dear Sir -

I have the honor to
inform you that I have
examined Antonio Picone, an inmate
of the City Prison with regard to his
Mental and Physical Condition and
am of the opinion that he is insane

Very Respectfully
William Fitch J. M. D.

Examiner in Lunacy -
57 West 27th St
30

0537

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Antonio Riccio

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

Antonio Riccio

of the CRIME OF Murder in the First Degree, committed as follows:

The said Antonio,

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

Anastasia Riccio,

in the peace of the said People then and there being, wilfully, feloniously, and of
his malice aforethought, did make an assault, and ~~she~~ the said

Antonio, her,

the said Anastasia, with a certain ~~flat-iron~~
which ~~she~~ the said Antonio in

his right hand then and there had and held, in and upon the head
of ~~her~~ the said Anastasia

then and there wilfully, feloniously, and of ~~his~~ malice aforethought did strike,
~~stab, cut and~~ wound, giving unto ~~her~~ the said Anastasia,

then and there with the ~~flat-iron~~ aforesaid, in and upon the head
of ~~her~~ the said Anastasia

one mortal wound of the breadth of ~~one~~ ~~three~~ inches and of the depth of ~~six~~ ~~eight~~ inches, of which said

0538

mortal wound ~~and~~ ^{the said} *Angelina then and*
~~there died.~~
~~at the City and County aforesaid, from the day first aforesaid, in the year aforesaid, until the~~
~~day of~~ ~~in the same year~~
~~aforesaid, did languish, and languishing did live, and on which said~~
~~day of~~ ~~in the year aforesaid,~~ ~~the said~~
~~at the City and County aforesaid,~~
~~of the said mortal wound did die.~~

And so the Grand Jury aforesaid do say: That the said

Antonio, then, _____

the said *Angelina* _____ in the manner and form, and by
the means aforesaid, wilfully, feloniously, and of *his* malice aforethought, did kill,
and murder, 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

_____ *Antonio Sicomo* _____

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

The said *Antonio,* _____

late of the City and County aforesaid, afterwards, to wit: on the said *eighteenth*
day of *June,* _____ in the year of our Lord one thousand eight hundred
and eighty- *nine,* at the City and County aforesaid, with force and arms, in and
upon the said *Angelina Sicomo,* _____

in the peace of the said People then and there being, wilfully, feloniously, and with
a deliberate and premeditated design to effect the death of _____ *then* _____ the said
Angelina _____, did make another assault, and
the said *Antonio, then,* _____ the said
Angelina _____, with a certain *flat-iron*
which _____ the said *Antonio* _____ in

0539

His right hand then and there had and held, in and upon the *head*
of *her* — the said *Angelina* —
then and there wilfully, feloniously, and with a deliberate and premeditated design to effect
the death of *her* the said *Angelina*, — did strike, stab, cut and
wound, giving unto *her* — the said *Angelina*, — then
and there, with the *effort* — *motion* aforesaid, in and upon the *head* —
of *her* — the said *Angelina*, —
one mortal wound, of the breadth of *three inches* and of the depth of *six inches*, of which said
mortal wound *and fracture* the said *Angelina* *then and*, at
her, *head* —
the City and County aforesaid, from the said day of
~~in the year aforesaid, until the~~ day of ~~in the~~
~~same year aforesaid, did languish, and languishing did live, and on which said~~
day of ~~in the year aforesaid,~~
the said ~~, at the City and County~~
aforesaid, of the said mortal wound did die.

And so the Grand Jury aforesaid do say: That the said
Antonio, *her*, —
the said *Angelina*, — in the manner and form, and by
the means aforesaid, wilfully, feloniously, and with a deliberate and premeditated design
to effect the death of *her* — the said *Angelina*,
did kill and murder, against the form of the Statute in such case made and provided, and
against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0540

STATE OF NEW YORK.

Matteawan State Hospital.

H. E. ALLISON, M. D.,
Medical Superintendent.

Fishkill Landing, July 18, 1896.

*Referred to the Keeney
J. H. Keeney
advised*

Hon. John C. Fellows,
District Attorney,
New York City.

Dear Sir:--

Antonio Ricomo died July 12, 1896. He was committed to the Hudson River State Hospital under indictment of murder in the first degree, of Angelina Ricomo filed Aug. 12, 1889, and transferred to the custody of the Matteawan State Hospital on June 3, 1892.

I notify you of the death of this patient in order that you may endorse it, if you choose, upon the indictment on file in the office.

Respectfully yours,

H. E. Allison

Medical Superintendent.

Visitors admitted Daily from 2 to 5 P. M., excepting Sundays, Fridays and Legal Holidays.

Address all Official Communications to the Medical Superintendent.

Witnesses:

0541

BOX:

363

FOLDER:

3415

DESCRIPTION:

Riggs, Frederick

DATE:

08/16/89



3415

Witnesses:

Isaac Mulhann

Counsel,

Filed

16 day of Aug 1889

Pleads

Agony 17

THE PEOPLE

vs.

15

ASSAULT IN THE THIRD DEGREE
(Section 219, Penal Code).

Frederick J. Riggs

JOHN R. FELLOWS

District Attorney.

A True Bill.

Foreman.

Sept. 30/89

Vacated by Court (J. H. Lane)
Oct 16/89 - (J. H. Lane) having
been killed by Dist Atty

0542

0543

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frederick J. Riggs

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

Frederick J. Riggs

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

The said

Frederick J. Riggs

late of the City of New York, in the County of New York aforesaid, on the *thirteenth*
day of *August* in the year of our Lord one thousand eight hundred and
eighty-*one* at the City and County aforesaid, in and upon the body of one *Isaac*
Millhauser in the peace of the said People then and there being, with force
and arms, unlawfully did make an assault, and *him* the said *Isaac*
Millhauser did then and there unlawfully beat, wound and ill-treat, to the great damage
of the said *Isaac Millhauser* against the form of the
statute in such case made and provided, and against the peace of the People of the State of
New York and their dignity.

JOHN R. FELLOWS,

District Attorney

0544

BOX:

363

FOLDER:

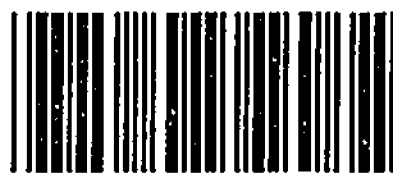
3415

DESCRIPTION:

Robartillo, James

DATE:

08/06/89



3415

0545

Witnesses:

P. McCarthy
off duty

3 Bill and

Counsel,
Filed 6 day of Aug 1889
Pleads, Not Guilty (7)

THE PEOPLE
vs.
James Robertillo
P
Assault in the Second Degree.
(Section 218, Penal Code).

JOHN R. FELLOWS,
District Attorney.

A True Bill

Alfred Munn Foreman.

Aug 13, 1889
Plead and convicted
A. J. dy
Gen. Sirmp.

0546

Police Court—4th District.

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

of No. 397 First Avenue Street, aged 28 years,
occupation Labourer being duly sworn
deposes and says, that on 22nd day of July 1889 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

James Robatello (now here)
who did wilfully and maliciously cut
and stab deponent twice on the back
part of the body with some sharp
instrument the defendant held in
his hand and such assault was
committed

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without
any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer
for the above assault, etc., and dealt with according to law.

Sworn to before me, this 23rd day
of July 1889

W. M. Mahoney Police Justice.
Patrick M. Carthy

0547

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

4 District Police Court.

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

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

James Rotatillo

Taken before me this

day of

188

Police Justice.

0548

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

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

Dated *July 23* 188 *7* *Sturges* *Police Justice.*

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

Dated 188 *Police Justice.*

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

Dated 188 *Police Justice.*

0549

478
Police Court
475 1074
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Patrick McBoath
397 vs. James Rotally
2
3
4
Offence

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated July 23 1889

Magistrate

Garret Doyle Officer.

Precinct.

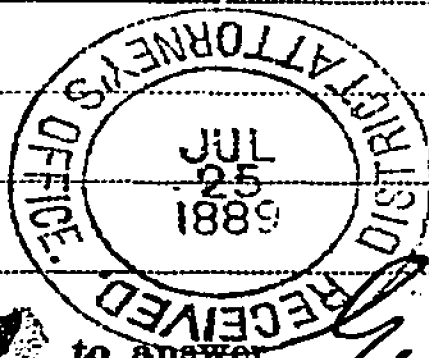
Witnesses

No. Street.

No. Street.

No. Street.

\$ 1000 to answer



0550

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 Robartillo

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

James Robartillo

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

The said

James Robartillo

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

Patrick McCarthy

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said *James Robartillo, with a certain sharp instrument, to the Grand Jury afore-*
~~with a certain~~ *said unknown, with a knife* which *he* the said

James Robartillo

in *his* right hand then and there had and held, the same being then and there a weapon and an instrument ~~and weapon~~ likely to produce grievous bodily harm, *him*, the said *Patrick McCarthy* then and there feloniously did wilfully and wrongfully strike, beat *him* bruise and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

0551

SECOND COUNT—

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

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

The said

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

Patrick McCarthy
in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make another assault; and the said *James Robartillo*
the said *Patrick McCarthy*
with a certain ~~sharp instrument~~ *to the Grand Jury aforesaid unknown,*
which ~~he~~ *the said* *James Robartillo*
in ~~his~~ *right hand then and there had held, in and upon the*
body and back of *him* the said *Patrick McCarthy*

then and there feloniously did wilfully and wrongfully strike, beat, *stab, cut,*
bruise and wound, and did then and there and by the means aforesaid, feloniously,
wilfully and wrongfully inflict grievous bodily harm upon the said *Patrick*
McCarthy to the great damage of the said *Patrick McCarthy*
against the form of the statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0552

BOX:

363

FOLDER:

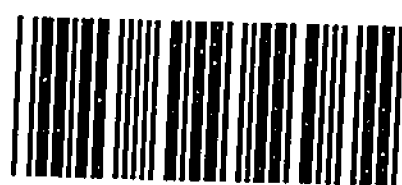
3415

DESCRIPTION:

Romani, Giovanni

DATE:

08/16/89



3415

Witnesses:

J. Carlucci

Counsel,

Filed

16 day of Aug 1889

Pleads,

Mr. Guilty

THE PEOPLE

Assault in the Second Degree.
(Section 218, Penal Code).

vs.

John R. Fellows

Giovanni Romani

JOHN R. FELLOWS,

District Attorney.

For Sept 16/89

Ind + convicted

S.P. 4 M.D.

A True Bill.

Alfred M. ...

Foreman.

Sept 16/89

Sept 16/89

Sept 16/89

0553

0554

Domenico Colucci of 39 Mulberry St.
says: that on the 14th day of Aug. 1889
he was passing through Mulberry St.
near No. 35, at about 7.30 P.M. It was light
and deponent saw the defendant beating a
woman, she was calling for help, & depon-
ent went to separate them; and after
having separated them deponent went
away. about two minutes after defendant
came behind deponent & cut him with
a razor once, deponent turned around
& saw him holding a razor in his hand.
The razor was covered with blood.
The officer has the razor in his posses-
sion; the officer was handed the razor
by a man. Defendant said to the
officer "I hit him with the razor.
because ~~he~~ he slapped me in the
face, as a matter of fact deponent
did not strike the defendant, but only
went to separate him from the woman
deponent knew defendant by sight.

0555

Court of General Sessions
of the Peace

The People &c.

agst.

Giovanni Formica
Defendant

Complainant's statement

Part 2

0556

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St

New York, Aug. 14 1889

To whom it may concern:

This is to certify that

Dominico Corlucci

is ~~was~~ under treatment at this Hospital,

for an incised wound of the
Scalp, received today, in
from 188 , to 188 .

which were taken about
Eight or ten stitches, the length
of the wound being about
three inches

*Chas. W. D.
Chambers to H. H. C.*

0557

Police Court—1st District.

CITY AND COUNTY
OF NEW YORK, } ss.

of No. 39 Mulberry Street,

Wednesday the 14th day of August

in the year 1888 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Giovanni Romani
who feloniously cut and stabbed
deponent and etc. bore a of his
head with a razor then
held by him in this hand

with the felonious intent ~~to take the life of deponent~~ to do him grievous bodily harm; and without any justification on the part of the said assailant ;

Wherefore this deponent prays that the said assailant may be ~~apprehended~~ and bound to answer for the above assault, etc., and be dealt with according to law.

Sworn to before me, this

day

of

1888

Luigi Somerico

POLICE JUSTICE.

0558

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty. The complainant hit me on the arm first and I then cut him with the razor.

Giuseppe Romani
X
romani

Taken before me this

day of August 188

Police Justice.

0559

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

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

Dated *Aug 15* *1889* *Police Justice.*

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

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

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

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

0560

Police Court---1500 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Commissioner of Police
39 vs. *Number 39*
1. *Gianni Rossi*
2. _____
3. _____
4. _____
Offense _____

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *August 15* 188*9*

Hogan Magistrate.

De Hoff Officer.

Precinct.

Witnesses *Annie Stasio*

No. *110* Street.

No. _____ Street.

No. _____ Street.

\$ *5.00* to answer *Comp*



0561

VI.

R. W. Aug 1889

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

January 21, 1890.

Sir:

Application for Executive clemency having been made on behalf of Giovanni Romani who was convicted of assault 2nd degree in the county of New York and sentenced Sept. 16, 1889, to imprisonment in the Sing Sing Prison for the term of four years.

I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since conviction?

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

I am,

very respectfully yours,

Hon. J. R. Fellows,

District Attorney,

New York City.

J. S. Williams.

Private Secretary.

0562

Lionel R. R. R.

see Bedford

Answered
Apr. 18/1890

0563

Court of General Sessions.

The People

vs

Giovanni Romani
Assault in the 1st Degree.
Indictment filed, Aug. 16th, 1889.

Before Hon. Rufus B. Cowing,
and a Jury.

Tried Sept. 16th, 1889.

Appearances: Assistant District Attorney
Bedford, for the People; John Henigman, Esq.,
for the Defense.

~~~~~ " ~~~~~  
Dominico Colucci, of 39 Mulberry St-  
reet, the Complainant, testified that, on  
Aug. 14<sup>th</sup>, 1889, about 7 o'clock in  
the Evening, he was walking through  
Mulberry Street in the City of New York.  
He was coming from Brooklyn. He  
saw the Defendant beating a woman.  
The woman was shouting, "Help me!  
Help me! He is murdering me!" He,  
the Complainant, separated the defendant  
from the woman, and went along about  
his business. The defendant followed him,  
and cut him upon the head and neck  
with a razor. [The Complainant here showed  
the scars of his wounds to the Court and Jury.]  
His, the Complainant's, back was turned



0564

(2)

when the Defendant cut him.  
Upon cross-examination, the Complainant testified that he had never seen the Defendant or the woman before. He did not walk away with the woman, after separating the Defendant and the woman, and he did not see which way she went.

Officer Henry C. Bishop, of the 6th Precinct, testified that he arrested the Defendant, in Doyer Street, a little after 7 o'clock, on the night of Aug. 14th, 1889. He saw the Complainant on that evening. His head was cut and bleeding. The defendant said that the Complainant tried to take <sup>his</sup> girl away, but the Complainant said that the Defendant was hitting the woman, and he tried to stop him.  
Upon cross-examination, the witness testified that the Complainant joined in his, the witness's chase after the Defendant, who ran away. A crowd was pursuing the Defendant. The Defendant was chased through Mott and Pell Streets to Doyer.

For the Defence, the Defendant, Giovanni Romani testified that he lived at 44 Elizabeth Street. The woman in question, Annie Fannie, lived there with him.



0565

The People  
vs

Giovanni Pomare

murder

Indictment filed Aug. 16<sup>th</sup>, 1889

murder

Indictment and Coroner's Report.

16<sup>th</sup>, 1889 - Part 2

0566

(3)

On the evening of Aug. 14<sup>th</sup>, he missed Annie from his rooms. He also missed £10, a dress and a shawl, of the value of £3.50. He saw her, later, in Mulberry Street. The Complainant enticed her from his, the Defendant's, home. The Complainant kicked him, the Defendant, upon the leg, and bit him on the arm, and he cut the Complainant. When he saw Annie first, she was alone. He said to her, "Come home, and bring what you took away," and Annie answered that she had taken the things to the house of the Complainant. So he, the defendant, was persuading her to return home, the Complainant ran up to her, and grabbed her arm. She had said that she would go home, when she saw the Complainant coming, and then she said to him, the Defendant, "Look out, for somebody will kill you tonight". He, the Defendant, said, "Why don't you let me take this woman back to my house? She belongs to me" and, in answer, the Complainant kicked him on the leg. He, the Defendant, cut the Complainant for the £10 that the woman took away from him, and for the kick.

0567

(4)

that he received on his leg. He, the Defendant, tried to get away, after the Complainant kicked him, but the Complainant held him by the arm. He told the Complainant to let him go, but he would not. He was not beating him at any time. He cut the Complainant with a razor. He saw the Complainant putting his hand in his pocket, to try to draw out his knife, when he cut the Complainant.

Under cross-examination, the Defendant testified that he was not married to him. He came from Jersey City, saying that he had nobody in the world, and he was very glad to live with him.

~~~~~

0568

The People

vs

Giovanni Romani

~

Indictment filed by 16th Jy

Indict. Sept. 16th Jy. Oct 2.

0569

COURT OF GENERAL SESSIONS.

-----X
The People
v.
Giovanni Romani,
Indictment filed Aug. 16, 89:
Indicted for Assault in the
second degree.
-----X

Assistant District Attorney Bedford for the People.
John G. Heinzleman, Esq., for the Defense.

DOMINICO COLLUCI, the complainant,
testified that he lived at 39 Mulberry Street. He was
walking through Mulberry Street on the 14th of August
at about seven P. M. He was coming from Brooklyn, and
he saw the prisoner beating a woman. The woman was
shouting, "Help me, help me, he is murdering me." He,
the complainant, went and separated the defendant from
the woman and started on. The defendant followed him,
and cut him on the head and neck with a razor.

Under Cross Examination, the complainant testified

0570

2

that he had never seen either the man or the woman before. He did not walk away with the woman. There was no police officer there when he separated the defendant from the woman. He did not see which way the woman went.

O F F I C E R H E N R Y C. B I S H O P testified that he was attached to the Sixth Precinct. He was on duty on the evening of August 14th. He arrested the defendant in Doyer Street. He saw the complainant on that evening. He was badly cut and bleeding profusely. When he arrested the defendant the defendant said that the complainant tried to take his woman away from him. The complainant denied this, and said that the defendant was beating a woman and he had tried to stop him. The complainant was chasing the defendant at the time that he, the officer, arrested the defendant, and continued in the chase until the defendant was caught. There was a crowd running after the defendant.

The Defendant, GIOVANNI ROMANI, testified that he lived at 44 Elizabeth Street, and had been living there for two years and for about six months in Mott Street. The woman about whom the difficulty occurred had been

0571

3

living with him in Elizabeth Street and her name was Fannie. On the 14th of August she left his rooms. She stole ten dollars and a dress and a shawl. In the evening he saw her in Mulberry Street. The complainant enticed her away from his home. The complainant kicked him on the leg and bit him on his arm, and then he cut the complainant. He saw the woman alone first. He told her to go with him and take back what she had stolen. She replied that she had taken the stolen goods to the house of the complainant. He, the defendant, was persuading her to return to his home, and the complainant ran up and grabbed her by the arm. Then he asked the girl to go home with him she replied, "I will not go to-night." And then she added, "Yes, I will go; all right." Then she turned and saw the complainant coming, and she said, "Look out, for somebody will kill you to-night." He, the defendant, then said to the complainant, "Why don't you let me take this woman back to my house? She belongs to me." Then the complainant kicked him on the leg. The complainant then grabbed him by the arm and bit him, and he used his razor to get away. He did not beat the woman. He was trying to persuade the complainant to let him go and the com-

0572

COURT OF GENERAL SESSIONS.

-----X
The People :
v. :
Louis Appelbaum, : Tried Sept. 5th, 1889, before
Indictment filed Aug. 16, : the Hon. Rufus B. Cowing and
1889; indicted for grand : a Jury.
larceny in the 1st degree :
-----X

Assistant District Attorney Bedford, for the People.
Jacob Berlinger, Esq., for the Defense.

J A C O B S I L V E R M A N, the complainant,
testified that he was a tailor and that he did business
at 127 Elm Street. The defendant was in his employ on
the 6th of March, 1889. The defendant was employed to
carry goods to the stores for which the complainant
worked. On the 6th of March he gave the defendant five
twenty dollar bills to get changed and he also gave him
a bundle of goods to deliver and to collect \$48.50. He
never saw the defendant again until he saw him in the
Police Court, and had never seen the \$148.50 again. He
told the defendant at the time that he gave him the five
twenty dollar bills and the \$48.50 bill to collect, that

0573

2

he needed money to pay his workmen. He had not had the defendant arrested before, because the defendant was not in the city.

Under Cross Examination, he testified that the defendant had worked for him for nearly two years and a half. The defendant was paid at the rate of seven dollars a week.

OFFICER JAMES LISTON, testified that he arrested the defendant with Officer Chrystal. The complainant made a complaint at the station house early in March, and the defendant was not arrested until three or four months afterwards. The defendant was arrested about three weeks before the date of the trial.

MAURICE ROSENFELD testified that he was in the clothing business at 748 Broadway. He paid the defendant for the clothing which he delivered.

For the Defense, LOUIS APPELBAUM, the defendant, testified that he lived in the Tombs and that he came from Philadelphia. He had worked for the complainant for about two years. He went to Philadelphia in March. He took \$48.50 belonging to the complainant. The complainant never gave him five twenty

0574

3

dollar bills to change. The complainant sent him to the store on Broadway to collect \$48.50 and he did collect it and did keep it. He kept the money because the workmen and the boss in the shop made him spend all the money he had. He had no money to pay his board and had pawned his clothes. They told him that if he didn't spend his money they would drive him out of the shop, and so he kept the \$48.50. He went to Philadelphia because some people in the shop told him to go to Philadelphia.

Under Cross Examination, he testified that he spent about fifty cents a day in the saloons in giving beer to the workmen. He went to Philadelphia on the evening of the day that he collected the \$48.50. He paid five dollars to his boarding mistress before he went. He had been to Philadelphia once before and he went there because the men in the shop advised him to "skip." He went to Philadelphia to look for work. The boss owed him ten dollars, and he thought he ought to be paid. The boss did not authorize him to take the ten dollars from the \$48.50. The workmen told him to take it.

The Complainant, being recalled by Mr. Berlinger, testified that he employed about thirty-two tailors

0575

4

usually. He paid them whenever he received the money from the shop. He received the five twenty dollar bills from Browning, King & Co., for whom he did work. Their establishment was in Broome Street--412. He received from them three twenty dollar notes and two twenty dollar notes he had from the week before. He collected the money in person. He had frequently sent the defendant with money to change before.

0576

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Giovanni Romani

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

Giovanni Romani

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

The said

Giovanni Romani

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

Domenico Calucci

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said

Giovanni Romani

with a certain

razor

which

he

the said

Giovanni Romani
in his right hand

then and there had and held, the same being then and there

a weapon and an instrument ~~and weapon~~ likely to produce grievous bodily harm,

him, the said *Domenico Calucci* then

and there feloniously did wilfully and wrongfully strike, beat, *cut, stab*

~~bruise~~ and wound, against the form of the statute in such case made and provided, and

against the peace of the People of the State of New York and their dignity.

0577

SECOND COUNT—

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

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

The said

Giovanni Romani

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

said Domenico Colucci

in the peace of the said People then and there being, feloniously did wilfully and ,
wrongfully make another assault; and the said Giovanni Romani

the said

with a certain

which

in

his
head

the said

right hand then and there had held, in and upon the

of him the said

then and there feloniously did wilfully and wrongfully strike, beat , cut, stab,
bruise and wound, and did then and there and by the means aforesaid, feloniously,
wilfully and wrongfully inflict grievous bodily harm upon the said Domenico
Colucci to the great damage of the said Domenico Colucci
against the form of the statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0578

BOX:

363

FOLDER:

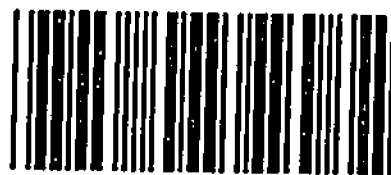
3415

DESCRIPTION:

Rothe, Julius

DATE:

08/07/89



3415

0579

65

Witnesses:

R. Marshall

Chas. Ryan

Counsel, Boty 210 Bowry
Filed 7 day of Aug 1889
Pleads, Wm. Emly (g)

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

THE PEOPLE

vs.

R

Julius Rothe

(Fictitious)

JOHN R. FELLOWS,

District Attorney.

Aug 12/89
Specimen Assn Day

A True Bill.

Alfred Starnes

Foreman.

State (epornatory) (Fictitious)

0580

Police Court

District

Affidavit—Larceny.

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

Hans Caspary
of No. 5 465 and 467 Borne Street, aged 30 years,
occupation Superintendent being duly sworn
deposes and says, that on the 25th day of July 1889 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property, viz:

Six pieces of braid of the value
of five + 50/100 Dollars.

(\$5.50)

the property of The firm of Reumann and
Caspary and in deponent's care and
custody.

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by Julius Rothe (nowhere)
from the fact that deponent is
informed by Albert Lynn a clerk
employed by said firm that he
Lynn found said property concealed
in the pockets of the defendants coat
which was hanging in the closet in said
premises and that he the defendant
thereafter admitted and confessed to him
Lynn that he had stolen said property
and returned five pieces of braid to him
Lynn.

Deponent further says that the said
defendant admitted and confessed to
him that he had feloniously taken

of
before
1889

Police Justice.

0581

stolen and carried away from the possession of said firm at different times in a portion to the six pieces of braid charged in this affidavit. Lots of braid amounting in all to about twenty ^{gross} of pieces, and of the value of about one hundred and twenty dollars.

Wherefore deponent charges the said defendant with feloniously taking, stealing and carrying away said property and prays he may be held and dealt with according to law.

Sworn to before me
this 20th day of July 1859.

Heas Caspary

John Korman
Deputy Justice

0582

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 20 years, occupation Clerk of No. 5

465 and 467 Broome Street, being duly sworn deposes and

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

Sworn to before me, this 28
day of July 1888

Albert Lynes

John H. H. H. H.
Police Justice.

0583

Sec. 193-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

2 District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty.

Julius Rothe

Taken before me this

day of *June* 188*7*

Police Justice.

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

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

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

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

Dated July 20 1889 Jno. P. ... Police Justice.

Dated July 20 1889 Jno. P. ... Police Justice.

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

to bail to answer by the undertaking hereto annexed.

Dated 188 *Police Justice.*

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

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

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

0585

Police Court---

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Hans Caspary
465 467 Broome St
Julius Rothe

2
3
4

Office
Cancery

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated July 28 1889

German Magistrate.

Jas Ryan Officer.

Precinct.

Witnesses Albert Lyons

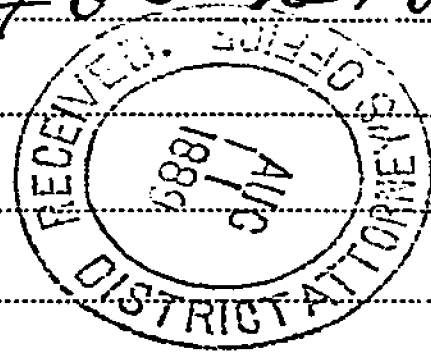
No. 465 Broome Street.

No. Street.

No. Street.

\$ 700 to answer

Can 8-1



0586

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Julius Rothe

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

of the CRIME OF PETIT LARCENY committed as follows :

The said

Julius Rothe

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

*six pieces of braid of the
value of one dollar each
piece*

of the goods, chattels and personal property of one

Hans Caspary

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

0587

SECOND COUNT---

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

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

The said

Julius Rothe

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,

*six pieces of braids of the
value of one dollar each
piece.*

of the goods, chattels and personal property of one *Hans Caspary*

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

Hans Caspary

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

Julius Rothe

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

JOHN R. FELLOWS,
District Attorney.

Witnesses;

R. Marshall

A. Lyons

66

Counsel, Botby 215 Bowry
Filed 7 day of Aug 1889
Pleads, L. W. Gentry

THE PEOPLE

vs.

Julius Rothe
(reared)

PETIT LARCENY, &c.

[Sections 528, 532, 540 Penal Code]

JOHN R. FELLOWS,

District Attorney.

Aug 14/89

Sentenced to W. Geo. Indict.

A True Bill.

Albany, N. Y.

Foreman.

0588

0589

Police Court—2 District.

City and County of New York, ss.:

of 5th Precinct Police James Ryan Street, aged _____ years,
occupation Police Officer being duly sworndeposes and says, that on the 27th day of July 1889 at the City of New York, in the County of New York, No 465 Brome Street

he was violently and feloniously ASSAULTED and BEATEN by Julius Rothe
(now here) who wilfully and maliciously pointed and aimed a revolving pistol loaded with powder and ball, which he the said defendant then and there held in his hand, at deponent and discharged two shots at deponent from said pistol. one of said shots struck the rim of the hat which deponent then and there wore.

Deponent further says that such assault was committed while deponent who is a police officer and was in full uniform and in the lawful discharge of his duty and in the act of arresting the defendant on a charge of larceny, and

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be ~~apprehended and~~ bound to answer for the above assault, etc., and be dealt with according to law.

Sworn to before me, this

27th day

of

July1889James RyanJohn J. Herman Police Justice.

Sec. 198—200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Answer.

I am not quite
Julius Rothe

Taken before me this

day of

188

Police Justice

0591

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

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

Dated *July 28* 188*7* *John J. Smith* Police Justice.

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

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

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

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

0592

\$3000 bail 28th
July 29th 1889

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court---

1106 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Ryan
vs.
Julius Rothe

2
3
4

Assault
Felony
Offence

Dated July 28th 1889

Foran Magistrate.

Ryan Officer.

Precinct.

Witnesses Abraham Littell

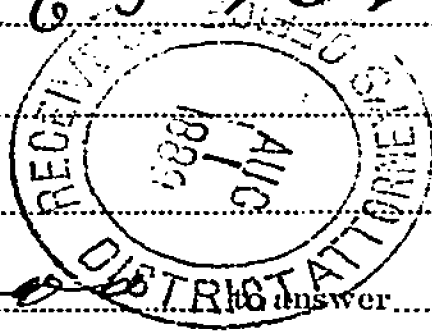
No. 465 Broome Street.

Richard Marshall

No. 465 Broome Street.

No. Street.

\$ 3000 answer



J.S.
Chase
July 29th 1889

0593

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Julius Rothe

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

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

The said

Julius Rothe
late of the City of New York, in the County of New York aforesaid, on the
twenty seventh day of *July*, in the year of our Lord
one thousand eight hundred and eighty-~~two~~*one*, with force and arms, at the City and County
aforesaid, in and upon the body of one *James Ryan*
in the peace of the said People then and there being, feloniously did make an assault and
to, at and against *him* the said *James Ryan*
a certain pistol then and there loaded and charged with gunpowder and one leaden
bullet, which the said *Julius Rothe*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge,
with intent *him* the said *James Ryan*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Julius Rothe
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Julius Rothe
late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said *James Ryan* in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and to, at and against *him* the said

James Ryan
a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,
which the said *Julius Rothe*

in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully shoot off and discharge, against the form of the statute in such case
made and provided, and against the peace of the People of the State of New York and
their dignity.

JOHN R. FELLOWS,

District Attorney.

0594

BOX:

363

FOLDER:

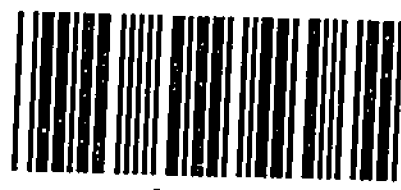
3415

DESCRIPTION:

Rowden, Thomas

DATE:

08/14/89



3415

Witnesses:

Off. Constant
C. J. Gordon

156
176-11-103

Counsel,
Leol W. Shuler

Filed 14 day of Aug 1889

Pleads, Not Guilty (107)

THE PEOPLE

vs.

B

Thomas W. Bowdler

Assault in the Second Degree
(Resisting Arrest.)
(Section 218, Penal Code).

Part II

Oct 14/89

Attest.

JOHN R. FELLOWS,

Oct 17. At request of District Attorney,
depose. To be true & sworn to.

Oct 24/89

A True Bill.

Alfred M. Munn

Foreman.

Off. for Term Sept
17. 2 Oct. 24. 1889
Tried and acquitted

0595

0596

Police Court—6th District.CITY AND COUNTY
OF NEW YORK, } ss.John Constant, 43 years old,
Policeman, 33^d Precinct
New York Citybeing duly sworn, deposes and says, that
on Monday the eighth day of July
in the year 1889 at the City of New York, in the County of New York, in East 136th Street
he was violently and feloniously ASSAULTED and BEATEN by Thomas W.Ryder, now here, who, while this
deponent was on duty and in uniform
and engaged in dispersing a crowd in
performance of his duty, did, with another
man the deponent unknown, catch hold
of deponent from behind, strike deponent
and knock deponent down. As deponent
was struggling with said men, deponent
saw said Ryder strike deponent violently
on the chest. While deponent was on the
ground a number of citizens interfered
and rescued deponent. Said assault
was committedwith the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without
any justification on the part of the said assailant :Wherefore this deponent prays that the said assailant may be ~~bound~~ bound to answer
for the above assault, etc., and be dealt with according to law.Sworn to before me, this 9th day
of July 1889.Charles H. Taintor
POLICE JUSTICE.

John Constant

0597

Sec. 198—200.

6.7 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Thomas W. Rowden

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. New York City

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

Answer. 626 East 144th St., 1 year

Question. What is your business or profession?

Answer. Driver

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

Answer. I am not guilty

T. W. Rowden, Jr.

Taken before me this

9th

day of

July 1889
Charles W. Rowden, Jr.
Police Justice.

0598

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 Thomas W. Rowden

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 July 9th 1889 Charles N. Tinter Police Justice.

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

Dated July 10th 1889 Charles N. Tinter 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.

0599

Personal arrest

Geo Pope

my + Wm H. Haren R.R.

Hablen River Bend

130 1/2

William H. H.

BAILED.

No. 1, by

Thomas W. Runden senior

Residence

150th Ave St Nicholas Ave

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court---

6th

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Constant

33rd vs. Rect

1 *Thomas W. Runden*

2

3

4

Offence

Dated

July 9th

1889

Magistrate.

Off Hegemann Constant

Officer.

John Pope 33rd Precinct
John D. Gaggash 219 E 134th St
Witnesses *F. W. Goller*

No.

704 East 134th

Street.

C. F. Goller

No.

705 East 134th

Street.

Henry V. Marshall

No.

665 East 134th

\$ *5.00*

to answer

by S.

Send above subpoena to Officer

Committed

Bailed July 10th 89

0600

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas W. Rowden
the younger

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

Thomas W. Rowden, the younger

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

The said

Thomas W. Rowden,
the younger,

late of the City of New York, in the County of New York aforesaid, on the eighth
day of July in the year of our Lord one thousand eight hundred and
eighty-nine at the City and County aforesaid, with force and arms, feloniously made
an assault in and upon one John Constant -

then and there being a patrolman of the Municipal Police of the City of
New York, and as such patrolman being then and there engaged in the lawful
apprehension of a person whose name
is to the Grand Jury aforesaid unknown.

and the said

Thomas W. Rowden, the younger

him, the said

John Constant

then and there feloniously did beat, strike, wound and otherwise ill-treat, with intent

then and there and thereby to prevent and resist the lawful apprehension

of the said person as 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.

JOHN R. FELLOWS,

District Attorney.

0601

BOX:

363

FOLDER:

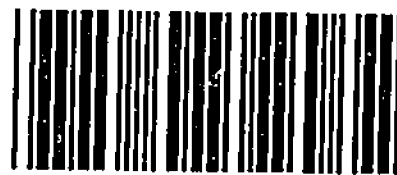
3415

DESCRIPTION:

Ryan, John

DATE:

08/07/89



3415

Bail \$1500.

W. J. G.

Witnesses:

Upon my report

imposed hereto

I hereby recommend

the dismissal of the

within indictment

Dated August 27, 1889

Edward Grose

Deputy Sheriff

In my opinion there can
be no conviction in this
case. I therefore recommend
the dismissal of this indictment

Sept 7th 1889

Vernon M. Dean

Act.

39. W. J. G. Kean

Counsel,

Filed

7 day of Aug 1889

Pleas,

Not Guilty

THE PEOPLE

vs.

John Ryan

JOHN R. FELLOWS,

District Attorney.

Pt. I. Sept 9th 1889 V.M.D.

A TRUE BILL.

W. J. G.

Sept. 9/89

Foreman.

Indictment

Dismissed

0602

Bail \$1500.

W. H. H.

Witnesses:

Upon my report
I am moved by the

I hereby recommend

the dismissal of the

within indictment

Dated August 27, 1889

Edward Grover

Deputy Sheriff

In my opinion there can

be no conviction in this

case. I therefore recommend

the dismissal of this indictment

Sept 7th 1889-

Vernon M. Davis,

Att.

39. Hean

Counsel,

Filed

Pleads,

7 day of Aug 1889

Not Guilty to

THE PEOPLE

vs.

John Ryan

JOHN R. FELLOWS,

District Attorney.

Pt. I. Sept 9th 1889 U.M.S.

A TRUE BILL.

W. H. H.

Sept. 9/89

Foreman.

Indictment

Dismissed

0603

0604

Court of General Sessions

The People etc.
vs.
John Ryan

Report.

The defendant is indicted of Man-
slaughter under §§ 189-198 P.C.
for having on the 27th of July, 1889,
in the night time struck James
Owen Mc Kerney to the ground, and
thereby inflicted a fracture of the
skull upon said Mc Kerney, of
which injury the said Mc Kerney
died on the 28th of July, 1889.

The case has been referred to
me for the purpose of examining
into the sufficiency of the proof
in possession of the prosecution.

I have examined James Flynn,
James O'Brien, Wm. McCoy and
John J. O'Brien and obtained
from them the following facts.

0605

The deceased met John Ryan, the defendant on the 27th of July, 1889, at about 12 A.M., in front of 216 Canal Street. He went up to Ryan and gave him several blows upon his chest; Ryan struck back and thereby felled the deceased to the ground. Both men were friends and struck each other in fun. They were both intoxicated. The deceased was picked up by the defendant, James Ryan and Wm. McCoy placed him upon a truck. They gave him a glass of water, and after a few minutes the deceased recovered sufficiently to go into the saloon of 216 Canal Street and take a glass of selfer water. The deceased did not complain of any pain. He died on the 28th of July, 1889, at about 5 P.M.

The deputy coroner found that the deceased came to his death from IntraCranial Hemorrhage and fracture at the base of the

0606

Skull caused by some external violence, probably a severe fall on the back of the head.

The statements of the said witnesses fully agreed with their depositions in the Police Courts and I have, therefore, refrained from reducing them to writing. They clearly show that the defendant, in striking the deceased, had no intent to injure him. He merely engaged in a playful combat opened by the deceased himself. There was a total absence of criminal intent and also of culpable negligence on the part of the defendant, when he struck the deceased. The fall of the deceased, which resulted in his death, although caused by the act of the defendant, was but a deplorable accident, and not the consequence of a criminal assault.

I am satisfied that the within indictment cannot

0607

be sustained and I, therefore, hereby
recommend its dismissal.

Edward Grose
Deputy Assistant.

0608

Court of General Session.

The People etc.
vs
John Ryan

REPORT.

For the District Attorney.

Dated August 27 1884
Edward Gross
Deputy Assistant

0609

→: STATE OF NEW YORK, :←

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION

Taken at the Coroner's Office

No. 67 Park Row Street, in the 4th Ward of the City of New York, in the County of New York, this 2 day of August in the year of our Lord one thousand eight hundred and 89 before

FERDINAND LEVY, Coroner,

of the City and County aforesaid, on view of the body of James Owen McKervey now lying dead at

Upon the Oaths and Affirmations of Ten good and lawful men of the State of New York, duly chosen and sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said James Owen McKervey came to his death, do upon their Oaths and Affirmations, say: That the said James Owen McKervey came to his death by

Intra Cranial Hemorrhage and fracture at the Base of the skull, the result of a fall caused by a blow of the fist from John Ryan, opposite 216 Canal St. on Saturday July 27/89 about midnight.

(Testimony taken at Police Court read to Jury)

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

JURORS.

John C. Beckmann 69 Ave C

Chambers 343 E. 10th St.

Henry Metzendorf 138 Ave C

J. Gleesing 171 Ave C

Reynard Bertram 163 Ave C

C. H. Internum 87 Ave C

Charles Specht 153 12th Ave

James H. Rice 157 Ave C

John Ruchmeyer 147 Ave C

John G. Smith 121 Ave C

Ferdinand Levy

CORONER, E. S.

06 10

TESTIMONY.

Mary M. Kervey being sworn says, I live at 3 Seamount
 so and am the mother of deceased. He left the house
 about 3³⁰ P.M. July 27th/89 to go to Dr. Vandegrift to
 leave an order for the doctor to call and see me. I did
 not see him again until between 12 M. & 1 P.M. next morn-
 ing when he came home and went to bed. When he laid
 down he got hiccups and tried to vomit. He had only
 a dry vomit. I gave him half a glass of Tokay wine
 but he did not want to drink it until I coaxed him
 to later it. He then laid down on the sofa and
 told me to go to bed. About 4 A.M. I got up to
 see if he was all right and found him lying on the
~~sofa~~ floor quietly sleeping as I thought. When I
 moved his head and put a pillow under it and tried
 to give him a drink I noticed his teeth were clinched. About
 7 A.M. I sent for Dr. Vandegrift because he then
 got bad convulsions. The doctor attended him
 until he died at 5¹⁵ P.M. July 28th/89. My son
 never said anything about being hurt to me
 when he returned home.

Mary M. Kervey.

Sworn to before me,

this

3rd

day of

July

1889

Frederick L. [Signature]

CORONER.

0611

TESTIMONY.

Wm A. Conway M. D., being duly sworn, says:
I have made an Autopsy of the body of
James Owen McKervey now lying dead at
3 Seammel St and from such Autopsy

and history of the case, as per testimony, I am of opinion the cause of
death is Intra-Cranial Hemorrhage & Fracture
of the Base of the Skull from some external
violence

Wm A. Conway, M. D.
Wm A. Conway M. D. being sworn says, On July 30th
1889 I made an Autopsy on the body of James
Owen McKervey at his late residence 3 Seammel
St. An external examination of the body showed
no marks of violence, but on opening the scalp
there was found an extra-vascular of blood on
the back of the head under the scalp about
one inch in length & width. On opening the skull
there was found an immense clot of blood at the
base of the skull pressing on the brain on the
removal of the brain & membranes a fissure
fracture of the base of the skull was discovered
& fracture of the occipital bone connecting with
it evidently caused by some external violence.
All the other organs of the body were in
good condition with the exception of an
old pleurisy on the right side.

In my opinion the cause of death was
Intra Cranial Hemorrhage & Fracture at the
Base of the Skull caused by some external
violence probably a severe blow on the
back of the Head.

Wm A. Conway M. D.

Sworn to before me,

this 30 day of July 1889
Richard J. Frost

CORONER.

0612

MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
26 Years — Months — Days	New York City	3 Scammel st	July 30 th

the first thing is made
to leave the house
the library is the

7-10-34
F. L.

Mals

3rd March.
1889

AN INQUISITION

On the VIEW *of the* BODY *of*

James Martin McKim

whereby it is found that he came to
his death by John Daniel
Hemphage from Jackson
at base of Spent.

Extract taken on the 2 day
of August 1889 before
FERDINAND LEVY, Coroner.

0613

Mrs. M. S. Harvey is unable
to leave her house &
her testimony is to be read

AGE	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
26 Years - Months - Days	New York City	3 Seaview St.	July 30 th 1889

MEMORANDA.

July 21st 1889
F. L.
Hals
Sept. Dec. 1889

AN INQUISITION
On the VIEW of the BODY of

James Martin M. S. Harvey

whereby it is found that he came to
his death by Intra Cranial
Hemorrhage from fracture
at base of skull.

Inquest taken on the 2 day
of August 1889 before
FERDINAND LEVY, Coroner.

06 14

FIRST DISTRICT POLICE COURT.

CITY AND COUNTY }
OF NEW YORK. } ss.

Recognizance to Testify.

BE IT REMEMBERED, That on the

30th day of July in the year of our Lord 1889

of No. 10 Prince Street, in the City of New York,

and Thomas G. McCarthy
of No. 15 Prince Street, in the said City,

personally came before the undersigned, one of the Police Justices in and for the City of New York, and acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say; the said

James Flynn
the sum of One Hundred Dollars;

and the said Thomas G. McCarthy
the sum of One Hundred Dollars

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

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

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

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

James Flynn
Thomas G. McCarthy
Don J. McCarthy
POLICE JUSTICE.

06 15

CITY AND COUNTY } ss. *Thomas G. McCarthy*
OF NEW YORK, }
the within-named Bail, being duly sworn, says, that he is a *house* holder in
said City, and is worth *Two* **Hundred Dollars,**
over and above the amount of all his debts and liabilities; and that his property consists of *the*
stock and fixtures of the liquor business
at 15 Prince Street, valued \$2,500.00
in full and clear
Thomas G. McCarthy

Sworn before me, this
day of *July* 188*9*
James J. Sullivan
Police Justice,

New York Sessions.
THE PEOPLE, &c.,
vs.
RECOGNIZANCE TO TESTIFY

Police Justice.

Filed day of 18

06 16

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT, DISTRICT.

of No. 100 Pratt Street, aged 30 years,

occupation Police Officer being duly sworn deposes and says

that on the 29 day of July 1889

at the City of New York, in the County of New York, He arrested

John Ryan (now Lee) on a charge

of homicide and that James Flynn

James O'Brien, William M. Coy

and John J. O'Brien as necessary and

material witnesses against said

Ryan and that deponent has good and

sufficient reason to believe that the

said James Flynn, James O'Brien

William M. Coy and John J. O'Brien

will not appear at the trial of said

Ryan at the Court of General Sessions and

asks they be committed to the House of Detention

Sworn to before me, this

of

July 188

9

So J. J. Kelly Police Justice.

0617

James Flynn of 10. Prince St
being duly sworn deposes and
says,

About the hour of 12 o'clock
on Saturday night July 27th 1889
I saw James W^m Kirby in Canal
Street with two friends and I saw
the defendant standing at 216
Canal Street near Baxter Street
and Kirby went over to the defen-
dant and struck him about the
body in front, they were both inter-
ested and the defendant struck at
Kirby and Kirby fell down on the
sidewalk and hit his head, and I picked
him up and put him on a truck
and gave him a drink of water and he
came to and then he went away with
his two friends, and that is all I know
of it.

Sworn to before me

this 30th day of July 1889

John C. Kelly

James W. Flynn
Prosecutor

06 18

James O'Brien of 104 Bayard
 Street being duly sworn deposes and
 says, On Saturday night July
 27th 1889 at a little after 12 o'clock
 John Ryan the defendant and my
 self were standing in front of
 216 Canal Street when Mr Shibly
 came up to Ryan, both being inter-
 ested Mr Shibly struck Ryan about
 the body with his hand, and then
 they both spinned, and I happened
 to turn my head away. When I
 looked around again I saw Shibly
 lying in the street. I saw Flynn
 and McEvy pick him up and put him
 on a truck. When I went away and
 that is all I know of it.

Sworn to before me
 the 30th day of July 1889

James O'Brien

Do not seal
 Public Justice

0619

William McCoy of 329 Stanton
Street being duly sworn deposes and
says,

About the hour of 12 o'clock
on Saturday night July 27th 1889
myself, John O'Brien & Shirley were
all coming up Walter Street & at
Pauls Store Shirley met the defendant
Ryan. & O'Brien & myself walked
up to the corner and were talking
to each other, & when I came back
I saw Shirley lying on the water and
I picked him up and put him in a
truck & then Shirley and I went to
a saloon in Canal Street and he
got a glass of seltzer & I left him
there and went home, Ryan and
Shirley were both intoxicated and
that is all I know of it

Sworn to before me
this 30th day of July 1889 } W McCoy

David C. B. P. J. Justice

0620

John J. O'Brien being away on
business & says

I was at 66 North St.
McCoy Shiry & myself were
walking through Wacker Street
about the hour of 10 o'clock on Saturday
evening ^{July 29, 1889} Shiry saw the defendant
Ryan at Palace Street. We stopped and
talked to him while McCoy and
myself walked up the street and
stood talking together. When we
turned around to see if Shiry was
coming and I found him lying on the
sidewalk. We picked him up and
put him on a truck and bid him
good night and I went away home
around 11 o'clock. That is all I
know of it.

Sworn to before me
this 30th day of July 1889 } J. W. O'Brien

J. J. O'Brien
Three Justices

0621

Dennis Day a police officer
attached to the 6th precinct police
being duty on our department today

That on the 30th day
of July 1889 he arrested John Ryan
(now here) on a charge of homicide
for that said ^{Ryan} admitted to defendant
that he said Ryan shot the
deceased; after the deceased fired
struck him

Shown to before me
this 30th day of July 1889 } Dennis Day

Dennis Day
Deputy

0622

Sec. 103-200.

CITY AND COUNTY OF NEW YORK, ss.

1st District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty

John Ryan

Taken before me this

day of July 188

Police Justice.

0623

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

Defendant
guilty thereof, I order that he be held to answer the same ~~and he be admitted to bail in the sum of~~

~~Hundred Dollars,~~ and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail. he legally discharged

Dated July 30th 1889 John J. Bennett Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named _____

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

Dated _____ 188 _____ Police Justice.

0624

Witnesses John J. O'Brien
William McRoy

Bailed by
Julius S. Brown
158 Canal St.

BAILED,

No. 1, by Lanty Ryan
Residence 153 Monroe Street.

No. 2, by
Residence

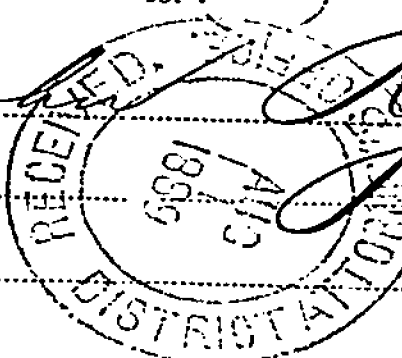
No. 3, by
Residence Street.

No. 4, by
Residence Street.

39 Bill Ordway 1115
Police Court--- District.

THE PEOPLE, &c.,
THE COMPLAINT OF

1
2
3
4



Offence

Dated July 30 1889

Magistrate.

Officer.

Precinct.

James J. Ryan
No. 10 Prince Street.

James O'Brien
No. 104 Boyard Street.

Wm McRoy
No. 329 Stanton Street.

John J. O'Brien
to answer 66 Monroe St

House of detention

COMMITTED.

0625

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Ryan

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

Indictment accuse

John Ryan

of the crime of

Manslaughter,

committed as follows:

The said

John Ryan,

late of the City of New York, in the County of New York, aforesaid, on the

Twenty-fourth day of *July* in the year of our Lord one thousand
eight hundred and eighty- *nine* —, at the City and County aforesaid,

with force and arms, in and upon
one James Owen McHenry, then
and there lawfully residing and
lawfully doing business as an
and then the said James Owen
McHenry, with the hands of
him the said John Ryan, did then
and there unlawfully and feloniously
strike and beat, and the said
John Ryan, with his hands
aforesaid, then the said James
Owen McHenry, down into

0626

and upon the ground there, then
and there, with great force and
violence, wilfully and feloniously
did strike, cast and throw, so that
he the said James Owen the
slavery by reason of such
beating, casting and throwing
did then and there fall with
great force and violence, down into
and upon the ground there, the
said John Owen giving into him
the said James Owen the slavery
then and there by the means aforesaid,
in and upon the head of him the
said James Owen the slavery, one
mortal wound and fracture of the
length of four inches and of the
breadth of three inches, of which
said mortal wound and fracture
he the said James Owen the slavery,
from the said twenty seventh day of
July in the year aforesaid, until the
twenty eighth day of July in the
same year aforesaid, ^{at the City and County aforesaid} did languish,
and languishing did live, on which
said last mentioned day he the
said James Owen the slavery, at
the City and County aforesaid, of
the said mortal wound and fracture
did die.

0627

And so the Grand Jury aforesaid
do say: That the said John Ryan,
thru the said James Owen McHenry,
in manner and form, and by the
means aforesaid, willfully and
feloniously did will and say,
against the form of the Statute
in such case made and provided,
and against the peace of the People
of the State of New York, and
their dignity.

John DeWitt,

~~District Attorney~~