

0354

BOX:

292

FOLDER:

2782

DESCRIPTION:

Jacamo, Giovanitto

DATE:

01/10/88



2782

POOR QUALITY
ORIGINAL

0355

68

8/13/68

Counsel,

Filed

10

day of

1888

Pleads

THE PEOPLE

vs.

Giovanni Jacano

JOHN R. FELLOWS,

RANDOLPH B. WATKINS,

District Attorney.

A True Bill.

Emmelle J. J.

Foreman

Jay W. J.

Henry J. J.

Per me year

Witnesses:

M. Bernadine

Open Packer

Sections 498, 506, 528, 531
Burglary in the Third Degree.

POOR QUALITY
ORIGINAL

0356

Police Court—^{15th} District.

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

Michael Berardini

of No. 34 Mulberry Street, aged 29 years,

occupation Money Broker & Segar Store being duly sworn

deposes and says, that the premises No. 34 Mulberry Street,

in the City and County aforesaid, the said being a five story brick building
in the 6th Ward

and which was occupied by deponent as a Brokers office & Segar store

and in which there was at the time a human being, by name Michael Berardini

Mary Berardini and Phillip Berardini Servants Rosey

were BURGLARIOUSLY entered by means of forcibly Breaking a

large plate glass in the Show window in

the store in the above described premises

on the 28th day of December 1887 in the Night time, and the

following property feloniously taken, stolen, and carried away, viz:

One dozen wooden Pipes of the value
of One dollar & fifty Cents

the property of Deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

Giovannitto Sacaro

(now here)

for the reasons following, to wit: from the fact that deponent

securely locked the doors and windows

in said store at about the hour of ten

o'clock P.M. on said date, and at about

seven o'clock A.M. on the morning of

December the 29th instant deponent

discovered that said store had been

burglarized and the aforesaid property taken

stolen and carried away and deponent

POOR QUALITY
ORIGINAL

0357

Subsequently found a portion of said property
in the defendants possession on Mulberry
Street and the defendant was offering the
same for sale. Defendant identified said
property found in the defendants possession
as a portion of the proceeds of said Burglary

Sworn to before me this

29th day of December 1887

Sam'l C. Kelly

Police Justice

Police Court — District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Degree.

Burglary

vs.

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.

POOR QUALITY
ORIGINAL

0358

Sec. 198-200.

District Police Court.

CITY AND COUNTY { ss
OF NEW YORK,

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

Question What is your name?

Answer

Giovannetto Jacamo

Question. How old are you?

Answer

23 years

Question. Where were you born?

Answer.

Italy

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

Answer.

32 Mulberry Street. Since the

Question What is your business or profession?

Answer

Labour

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.
Giovannetto Jacamo
sworn.

Taken before me this

day of *November* 188*1*

Sam J. McQuinn Police Justice.

POOR QUALITY
ORIGINAL

0359

BAILED,
No. 1, by _____
Residence _____ Street _____
No. 2, by _____
Residence _____ Street _____
No. 3, by _____
Residence _____ Street _____
No. 4, by _____
Residence _____ Street _____

130[#] 68-*Albany* 2143
Police Court District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael J. O'Rourke
James W. Jacobs

2 _____
3 _____
4 _____

Offence *Burglary*

Dated *Dec 29* 1887

W. Kelly Magistrate.
Michael J. O'Rourke Officer.
Precinct *6*

Witnesses

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

\$ *10000* TO ANSWER *G. S.*



Committed

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 *Dec 29* 1887 *Sam'l J. Kelly* Police Justice.

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

Dated _____ 1887 _____ 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 _____ 1887 _____ Police Justice.

POOR QUALITY
ORIGINAL

0360

BAILED,
No. 1, by _____
Residence _____
Street _____
No. 2, by _____
Residence _____
Street _____
No. 3, by _____
Residence _____
Street _____
No. 4, by _____
Residence _____
Street _____

130th 68th - 2143
Police Court - District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael J. O'Rourke
vs.
Herman H. Jacobs

2 _____
3 _____
4 _____

Offence Burglary

Dated Dec 29 1887

Magistrate
Officer
Precinct 6

Witnesses

No. _____
Street _____

No. _____
Street _____

No. _____
Street _____

\$ 10000 TO HAVE G. S.



Committed

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 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 Dec 29 1887 Sam'l C. Hill Police Justice.

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

Dated _____ 1888 _____ 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 _____ 1888 _____ Police Justice.

POOR QUALITY
ORIGINAL

0361

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Giovannetto Jacano

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

Giovannetto Jacano

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

The said *Giovannetto Jacano*.

late of the *Sixth* Ward of the City of New York, in the County of New York, aforesaid, on the *28th* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*seven*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *Store* of one

Michael Berardini.

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

Michael Berardini.

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

POOR QUALITY
ORIGINAL

0362

SECOND COUNT—

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

of the CRIME OF

Felix LARCENY.—

committed as follows :

The said

Felix

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,

*Twelve wooden pipes of the value
of fifteen cents each,*

of the goods, chattels and personal property of one *Michael Berardin.*

in the

Store

of the said

Michael Berardin.

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

POOR QUALITY
ORIGINAL

0363

THIRD COUNT—

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

Giovannetto Jacano—

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

The said *Giovannetto Jacano*,

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, with force and arms,

Twelve wooden

series of the value of fifteen

cents each.

of the goods, chattels and personal property of one *Michael Berardin*—

by a certain ~~person~~ persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *Michael Berardin*—

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

Giovannetto Jacano—

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.

~~RANDOLPH B. MARTINE,~~

District Attorney.

0364

BOX:

292

FOLDER:

2782

DESCRIPTION:

Jackel, Louis

DATE:

01/24/88



2782

POOR QUALITY
ORIGINAL

0365

WITNESSES:

Officer Chay

Counsel,

Filed 24 day of Jan 1888

Pleads

McKully 25

THE PEOPLE,

vs.

B

Louis Jackson
Ind 2 Jan 30 1888

Violation of Excise Law.

[(III Rev. Stat. (7th Edition), page 1983, Sec. 21, and
(Selling on Sunday, &c.)
page 1989, Sec. 5.]

JOHN R. FELLOWS,
RANDOLPH B. MARINE,

District Attorneys.

A True Bill.

Edmond C. For

Foreman,
Part II February 24/88

Del 23 Pledged to
30 June 9 PM
Holl

PA

POOR QUALITY
ORIGINAL

0366

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Louis Jackel

Question. How old are you?

Answer.

60 years

Question. Where were you born?

Answer.

Germany

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

Answer.

520 9th Ave

Question. What is your business or profession?

Answer.

Baker

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 and
I hold demand a
trial by jury
Louis Jackel

Taken before me this

day of

188

Police Justice.

POOR QUALITY
ORIGINAL

BAILED,

No. 1, by Henry Phillips

Residence 358 West 47 Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court-- 2 District.

THE PEOPLE, &c.,

OR FOR COMPLAINT OF

Henry Phillips

1 James J. White

2

3

4

Offence

Dated

188

James J. White Magistrate.

Henry Phillips Officer.

James J. White Precinct.

Witnesses

No.

Street.

No.

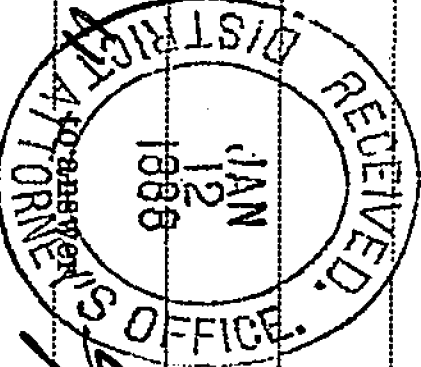
Street.

No.

Street.

No.

Street.



James J. White

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 Jan 9 188 James J. White Police Justice.

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

Dated Jan 9 188 James J. White Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY
ORIGINAL

0368

Excise Violation-Selling on Sunday.

POLICE COURT- 2nd DISTRICT.

City and County } ss.
of New York,

I, John Francis
of No. 520 9th Street,
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 9th day
of January 1888, in the City of New York, in the County of New York,

at premises No. 520 9th Street,
Louis Jackell (now here)

did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said Louis Jackell
may be arrested and dealt with according to law.

Sworn to before me, this 9th day
of January 1888, Allan Hay

[Signature] Police Justice.

POOR QUALITY
ORIGINAL

0369

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

Plaintiffs

against

Louis Jackel

Defendant.

The Grand Jury of the City and County of New York, by this indictment, accuse the above named defendant of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *eighth* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight* at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

Allan Day

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

SECOND COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

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

John R. Fellows
~~RANDOLPH B. MARTINE~~

District Attorney.

0370

BOX:

292

FOLDER:

2782

DESCRIPTION:

Johnson, James

DATE:

01/06/88



2782

POOR QUALITY
ORIGINAL

0371

X53 - Third brief herein.

J.C. Galt
Counsel,
Filed day of Jan 1888
Pleads Guilty - (9)

Grand Larceny in the second degree.
(MONEY)
(Sec. 528 and 539, Penal Code.)

THE PEOPLE

vs. James Johnson
Plat 2 Jan 10 1888
H.D.

JOHN R. FELLOWS.

RANDOLPH B. MARINE,

Jan 20 1888 District Attorney.

Pr. Feb 10. 1888.
Wm. J. 3.0 M. C. Jones & acquitted.

A True Bill.

Witnesses:

L. P. Arkema

Officer Cunningham

Edward C. For

Foreman.

Jan 18 1888
J. J. 5.00

part 1

POOR QUALITY
ORIGINAL

0372

Police Court—1st District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No. 4 Catherine Lane Street, aged 18 years,
occupation Seaman being duly sworn

deposes and says, that on the 2nd day of December 1887 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the night time, the following property viz :

Good and lawful Money of the United
States of divers denominations of the
amount and of the value of One
Hundred and fifty five dollars

the property of

Deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by James Johnson (now here)

from the fact that at about the hour
of five o'clock on said date deponent
was in the above described premises where
he deponent was boarding and deponent
went into the yard in said premises
to the water closet and left his deponent's
overcoat lying on a bench in the sitting
room in said premises, and when
deponent returned from the yard the
deponent saw the defendant Johnson
with his hand in the left hand side
upper pocket of deponent's overcoat which
contained the above described amount
of money and deponent subsequently

Subscribed and sworn to before me, this
1887 day of
Police Justice

POOR QUALITY
ORIGINAL

0373

missed said money from the left hand
side upper pocket of deponents coat
wherefore deponent charges the defendant
with the larceny of the same and prays
he may be dealt with as the law directs

Sworn to before me this

29th day of December 1883

Louis P. Ankama
Justice

Sam'l C. Bailey
Police Justice

POOR QUALITY
ORIGINAL

0374

Sec. 198-200

CITY AND COUNTY OF NEW YORK, { SS

District Police Court.

James Johnson 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

am not guilty
James Johnson
man

Taken before me this

day of *February* 188*8*

James Johnson
Police Justice

0375

District

Wm. J. Tucker

James Johnson

4.

ID

!

.....

•

A circular ink stamp from the District Attorney's Office. The outer ring contains the text "DISTRICT ATTORNEY'S OFFICE." in a circular arrangement. In the center, the date "DEC 30 1887" is stamped. A handwritten signature or initials are scrawled across the date.

is sufficient cause to believe the within named.....
Referred and
 that he be held to answer the same and he be adm

Dated Dec 29 1887 Sam J. O'Hell, Police Justice.

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

Dated _____ 188 _____ *Police Justice.*

N. Y. General Sessions

The People, etc., }
against } Grand Jury
James Johnson } 2^d seg.

City and County of New York ss:

John C. Costello, Counsel for defendant herein, being duly sworn, says: that after consultation with the said defendant he verily believes that he has a good and sufficient ^{on its merits} case, in defense of the indictment found herein, and that one Stephen Smith residing at No 4 Catharine Lane, this city and one Tillie Jones (the name "Jones" being fictitious - the proper name of the person so called "Jones" being unknown to deponent) of No 66 Bayard Street, this city, are witnesses material and necessary to the proper presentation and support of said case.

That deponent has made bona fide effort to secure the attendance of said witnesses for this morning but after having been personally at the respective

residences of said persons has been unable to do so - the person Smith being, at the times of deponent's calls, temporarily absent (as deponent was ^{and verily believed} informed by the person in charge) and the person fictitiously called "Jones" being confined to her bed.

Deponent further says that he makes this affidavit in perfect good faith and has no object other ^{than} the securing to the defendant herein the opportunity to properly present his case.

Deponent further says that he is morally certain of securing the attendance of the above named witnesses if given a few days in which to do so.

Sworn to before me

this 16th day of January 1888.

Wm. Gerichten

Notary Public (44)
N. Y. Co.

John C. Costello.

POOR QUALITY
ORIGINAL

0378

N. of General Sessions

The People,
et al., against

James Johnson

Affidavit
(to secure continuance)

The People
vs

James Johnson

Louis P. Ankama the complainant states that on the 28th Dec 1997 in the City of New York at the house of Catharine Thompson the defendant abstracted from the pocket of this witnesses over coat the goods chattels, bills, notes & effects described in the indictment. That witness had left said over coat on a bench in the sitting room at No 4 Catharine Lane in this City while he was temporarily absent in the water closet & upon returning to the sitting room he found defendant in the room with his hand in the upper pocket of said over coat, which he explained by saying he was looking for a cigarette. He was a stranger to witness & there were no cigarettes in that pocket & when witness examined the said pocket he found the notes & bills described in the indictment & which ten minutes before he had left in that pocket were gone. In fact he discovered in five minutes after he saw defendant's hand in his pocket.

1/28/98
H. Ankama

Witness says he ~~retained~~ attempted to find defendant immediately upon making this discovery but was unable to do so until next morning, when he learned he had given himself up. Witness states that when he left the room to go into the water closet, in which he left his coat there was nobody in it but defendant & an old man who was asleep & when he returned from the closet the old man was still asleep & the only persons he found in the room besides him was Johnson & Johnson had his hand in the pocket of witnesses overcoat in which ten minutes before he knows ~~the~~ he left the property stolen. He further states that Johnson the defendant was ^{present} ~~absent~~ at the office of the ship on the same day this occurrence took place & he saw witness receive the money & put it in this same coat pocket & 3 hours afterwards came to No. 4 Catholic Ave. where this witness was stopping & said Johnson saw him

POOR QUALITY
ORIGINAL

0301

when he took off his coat & put
it on the bench before going to
the closet

**POOR QUALITY
ORIGINAL**

0302

Brut

POOR QUALITY
ORIGINAL

0383

House of Detention
Jan 4th 1898

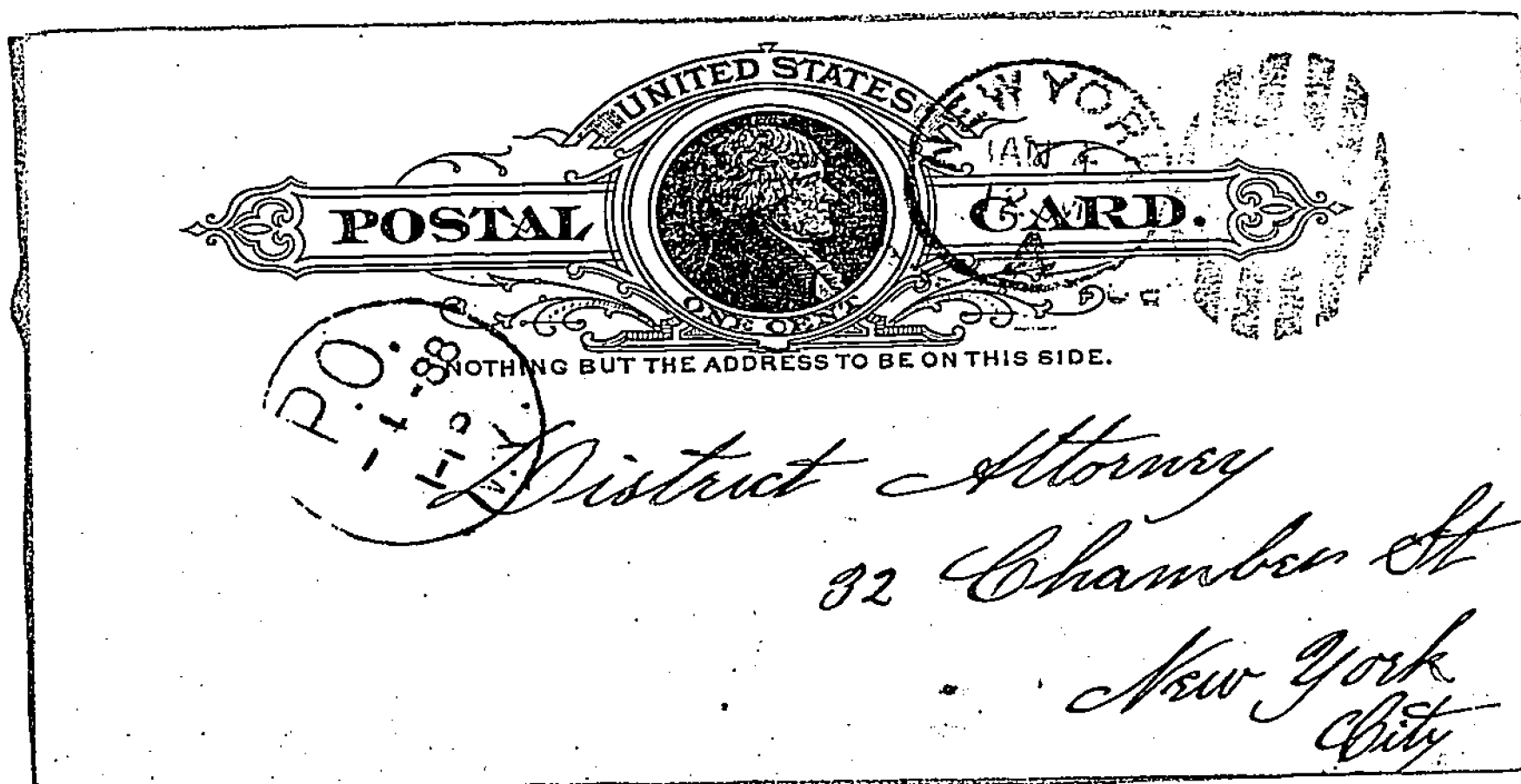
Dear Sir

I appeal to you for to
let me go in custody to
a boarding house where
all my clothes and money
is and i writin for them
and got no answer and as
i am a sailor and have
no friends here and i
would like to get my
things as i have no money
and they refuse to give
me writing material with
out money please answer

L. Antemi

POOR QUALITY
ORIGINAL

0384



CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT,

15th DISTRICT.

of No. 100 1st Pratt Police Street, aged 29 years,

occupation Police Officer being duly sworn deposes and says

that on the 29th day of December 188

at the City of New York, in the County of New York, Louis P. Anka
now here who is a material witness
in a certain case of Grand Larceny
against James Johnson deponent
believes said Anka will not
appear as such witness at the next
Court of General Sessions in and for
the City and County of New York to testify
as such witness

wherefore deponent prays that the
said witness may be ordered to enter into
recognizance for his appearance as such witness

John Harrington

Sworn to before me, this

188

day

Samuel McNeill Police Justice.

POOR QUALITY
ORIGINAL

0388

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 Johnson

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

James Johnson

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

The said

James Johnson

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

Twenty-eighth day of *December*, in the year of our Lord one thousand

eight hundred and eighty *seven*, at the Ward, City and County aforesaid, with force and arms,

in the *night* time of the same day, *three* promissory notes for

the payment of money, being then and there due and unsatisfied (and of the kind known as

United States Treasury notes), of the denomination of twenty dollars, and of the value of twenty

dollars *each*; *five* promissory notes for the payment of money, being then and

there due and unsatisfied (and of the kind known as United States Treasury notes), of the

denomination of ten dollars, and of the value of ten dollars *each*; *ten* promissory

notes for the payment of money, being then and there due and unsatisfied (and of the kind known as

United States Treasury notes), of the denomination of five dollars, and of the value of five dollars

each; *ten* promissory notes for the payment of money, being then and

there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomina-

tion of two dollars, and of the value of two dollars *each*; *twenty* promissory notes for

the payment of money, being then and there due and unsatisfied (and of the kind known as United

States Treasury Notes), of the denomination of one dollar, and of the value of one dollar *each*;

three promissory notes for the payment of money (and of the kind known as bank notes),

being then and there due and unsatisfied, of the value of twenty dollars *each*; *five*

promissory notes for the payment of money (and of the kind known as bank notes), being then and

there due and unsatisfied, of the value of ten dollars *each*; *ten* promissory notes for

the payment of money (and of the kind known as bank notes), being then and there due and unsatis-

fied, of the value of five dollars *each*; *three* United States Silver Certificates of the

POOR QUALITY
ORIGINAL

0387

denomination and value of twenty dollars *each* ; *Five* United States Silver Certificate of the denomination and value of ten dollars *each* ; *ten* United States Silver Certificate of the denomination and value of five dollars *each* ; *ten* United States Silver Certificate of the denomination and value of two dollars *each* ; *ten* United States Silver Certificate of the denomination and value of one dollar *each* ; *Three* United States Gold Certificate of the denomination and value of twenty dollars *each* ; *Five* United States Gold Certificate of the denomination and value of ten dollars *each* ; *Five* United States Gold Certificate of the denomination and value of five dollars *each* ; and divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *Twenty*

dollars,

of the proper moneys, goods, chattels, and personal property of one

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

JOHN R. FELLOWS.

~~RANDOLPH B. MARTINE,~~

District Attorney.

0300

BOX:

292

FOLDER:

2782

DESCRIPTION:

Johnston, John

DATE:

01/09/88



2782

POOR QUALITY
ORIGINAL

0389

Witnesses:

Mrs. Muller
Margaret Muller

Counsel,

Filed,

day of

188

Pleas,

THE PEOPLE,

vs.

B

John Johnston

Paul J. Muller

Section 2844 Penal Code.

JOHN R. FELLOWS,

RANDOLPH B. MARTINE

April 18th 1889 District Attorney.

A True Bill.

John R. Fellows
Clayton

Foreman.
Clayton

Accepted.
May 18 1889

26/88

The People vs. John Johnson.

Court of General Sessions, Part I. April 30. 1888

Margaret Mulhern, sworn and examined
by Mr. Dawson Q Mrs. Mulhern, are you acquainted
with Katie Mulhern.

A Yes sir, I am her step mother.

Q Is she your step daughter.

A Yes sir.

Q Are you acquainted with the defendant.

A Yes sir.

Q How long have you known him.

A About three years.

Q How long has he been in the habit of
visiting your house, madam.

A I think he was over a year in my
house altogether.

By the Court Q Living in your house.

A Yes sir.

By Mr. Dawson Q Do you remember from what
period to what period he was a
resident of your house.

A The first time I saw him he used
to come in for something to eat;
he had no home; himself and his
brother used to be quarreling, and
the police used to come and tell
her father —

The Court: He asks you from what time to
what time he lived in your house.

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By Mr. Dawson Q In what year was it 1884 or 1885

A you first saw him.
A I could not really tell you - two or three years entirely since I first knew him.

Q Were you aware of the fact that he was paying any attention to your step daughter. Objected to.

A Yes sir.

Q Then will you please state to this jury all that you know about him and his attentions to your step daughter. A. The first thing I knew was the 26th of May a year ago last my sister -

By the Court Q. 1887 you mean.

A A year ago last May.

By Mr. Dawson Q That is 1886. A. The 26th of May 1886. my sister was -

Counsel I object.

By the Court Q My sister was what -

A She was going home to Ireland on that day and time. There before she went home, my sister told me about - she called me in -

Counsel I object to this.

Mr. Dawson. That?

Witness She says -

Counsel I object —

The Court Strike that out.

Witness Johnson told me that night, he told me he would have Katie Mulhern for his wife tomorrow if he ~~could~~ get her.

By Mr. Dawson Q Meaning if he could get her — how did that conversation come about. A. My sister had told me where Katie had —

Counsel I object.

By Mr. Dawson Q Don't state anything your sister told you; state everything Johnson told you. Were you in conversation with Johnson.

A Not that night but afterwards. He asked me if he could not get Katie. He says, "Katie is satisfied to marry me if you and Tom is" that is Katie's father.

Q And then you said what to Johnson in answer to that question.

A I said, no; she is her mother's favorite, and I knew that her father would not allow it at all.

Q What did he then say in reply to that. A. He said that was nonsense, that some one should get her.

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Q Then was this A. That was about June.

By the Court Q 1886? A Yes sir.

By Mr. Dawson Q Then did you go to Ireland.

A My sister.

Q But you did not go. A No sir.

Q It was not you that went to Ireland.

A No sir.

Q This conversation was in June 1886.

A Yes sir.

Q Did he ever speak to you afterwards about it. A He did, sir, several times.

Q State what he said each time?

A He asked me for Katie.

Q Asked you for Katie. A Yes sir, and he said Katie would make a good house wife; "I don't see no girl around like Katie."

Q Was he living in the house at the time, maddam. A Yes sir.

Q How long did he live in the house.

A I think about a year.

Q How far were their rooms apart.

A The two little bedrooms, you go through the hall.

Q There are two little bedrooms.

A Yes sir.

Q The rooms were then almost joined on the same floor. A. Yes sir, on the same floor.

Q And next to the parlor. A. Yes sir.

Q Were they eating at the same table. A. Yes sir.

Q Did they go to church together.

A. Yes sir.

Q And did they take walks together.

A. Yes sir.

Q And did they go out together.

A. Yes sir.

Q And was this frequent or not.

A. Yes sir.

Q Was he or not during all this time that he was in the house marked in his attention to her.

A. Yes, all the time.

By the Court Q Was he alone with her frequently in the house. A. Yes sir.

By Mr. Dawson Q Did he or not seem to be trying to get her affections.

Objected to. Objection sustained.

~~By the Court~~ Q State what some of those attentions were. A. He always, the moment he would come in for his supper he would come in; if she was sitting down doing any sewing he would always sit

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in the front room with her. We never had objections to him, to his going in; we never thought anything was the matter.

Cross Examined by Mr. Dawson.
Q Were those attentions paid in your house Mrs. Mulhern. A. Yes sir; he has taken her out several times for a walk.

Q And was Katie living home then.

A. Yes sir that summer, but she went away there some time after to her place, and when she would be going to her place when her father would be going to leave her home John Johnson would stand up and put on his coat.

Q Was Katie living at home at your house during that time that he was paying attention to her. A. Yes sir.

Q Was she living home for a year.

A. She was living from home.

Q You said that he had lived at your house about a year I understand.

A. Yes sir.

Q During that year was Katie living home with you. A. Katie Mulhern was living home from about April until October the 5th or 6th.

Q April till October she was living

- at home? A. Yes sir.
- Q That was in 1886. A. Yes sir.
- Q And previous to April where was Katie. A. She was living with a lady of the name of Mrs. Schuyler.
- Q Well, you allowed all those attentions to be paid, you allowed the defendant to take her out. A. Yes sir.
- Q You allowed them to go on for weeks. A. Yes sir.
- Q And then you refused to allow them to marry did you.
- A Yes sir; the father did and so did I.
- Q Both your husband and yourself consented to all these attentions being paid to this girl, to this defendant walking out together with her and taking her to various places and then you refused to allow them to marry. A. Yes sir.
- Q Because he was a colored man.
- A Yes sir.
- Q You did not think of that before.
- A Yes sir; it was not our wish to have her go outside the door with him. Her father used to say, "Don't disgrace your mother's bones to walk with a colored man."

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Q Notwithstanding that fact you allowed her to go out some.

A She went out.

Q Then did you refuse to allow the defendant to marry your step daughter.

A Every time he asked me I always said no.

Q That was in June. A Yes sir.

Q You say he asked you afterwards.

A Yes sir, every time he asked me; he asked me several times.

Q How often did he ask you afterwards.

A He asked me about seven or eight weeks entirely.

Q Katie lived at home until October

you say. A Yes sir.

Q Did you know where she went to then.

A Yes sir.

Q Where. A To Mrs. Schuyler back again.

Q She went to Mrs. Schuyler in October 1886.

A Yes sir in October.

Q Who is Mrs. Schuyler. A A lady she lived out with.

Q And when did you first hear about Katie being in the family way.

A Katie come home to me Wednesday after Easter Sunday a year ago.

Q That was in 1884. A Yes sir; I

noticed her very stout, so I passed the remark to her if there was anything wrong or if she was married? She turned away, she said, 'no', and she went out crying.

Q That was last year. A. Yes sir.

Q About what time did you say that was. A. Wednesday after Easter Sunday she came home, and about a few days after I asked her.

Q How long did she remain at home. A. She remained at home I think about two weeks.

Q You are her mother? A. Her stepmother.

Q You are her step mother. A. Yes sir.

Q And have you children of your own. A. I had four, but they are dead.

Q You had children. A. Yes sir.

Q You knew perfectly well, did you not, whether Katie was in the family way or not.

A. I could not suspect her because I knew she never went out and I had more faith in John Johnson than if he was my brother.

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Q Katie said her child was born the 2nd of July 1887. A. Yes sir.

Q How long before that had you seen her. A. I seen her about the 13th of May when Katie left me.

Q That was two months before she had her child. A. Yes sir.

Q And do you mean to swear to this jury that you a woman having had four children did not know by the appearance of your step daughter whether she was in the family way or not two months prior to the child being born.

A. No sir, and I got Dr. O'Leary to examine her.

Q You did not know yourself. A. No sir.

Q Now Mrs. Mulhern did you ever go to Mrs. Schuyler's to see her.

A. Yes sir.

Q You did. A. Yes sir.

Q She left your place, Katie left when to go to Mrs. Schuyler's.

A. In October.

Q In October 1886. A. Yes sir.

Q In April 1887 she went away didn't she from the house. A. Yes sir.

Q Or in May or June. A. In May, about the 13th of May she left me.

Q She left you on the 13th of May.

A Yes sir.

Q That was 1889. A. Yes sir.

Q And then you saw her at your house about six weeks you say or two months before the child was born.

A Yes sir.

Q Now did you take sufficient interest in your daughter to find out where she had gone to. A. I did, sir, I looked around. John Johnson came down to my house and I asked him in the honor of God if he knew where she was to tell me. He said he did not see her at all. I went to where she lived and where she associated

Q You did not know where she was

A No sir.

Q Then she came home did she tell you that she had a baby.

A No sir.

Q Did you ask her. A. No sir, I did not.

Q Now you mean to swear before this jury that you were looking around for your daughter!

A I do sir.

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Q He did not know where she was.

A No sir.

Q Johnson had told you that he did not know where she was. A Yes sir.

Q And then you did not ask your daughter when she returned to you, ~~where~~ nor did your daughter tell you where she was, nor that she had had a baby, is that true.

Yes sir.

St. Bryn. Dawson Q Did you make any exertions to ascertain the fact whether your step daughter was in the family way or not.

Objected to objection overruled.

A Yes sir.

P₁

POOR QUALITY
ORIGINAL

0402

Testimony in
~~the~~ case of
John Johnson
filed Jan.
1888.

Court of General Sessions

The People etc.
against
John Johnston

Depositions:
Katie Mulhearn, the complainant.

Her antecedents.

I live at present with my aunt
Mrs. Annie Cavanagh at 130th ^{St. N.Y.} West
and Old Broadway. I was ^{seventeen} ~~sixteen~~
years in May of last year. My
parents live in the rear of the
house where my aunt lives.
I stay with her, because my
parents have not room enough
and she is alone with her baby. My
father's present wife, is my step
mother. When I was a little over
^{nine} eight years old, my mother died
and I was sent to the R. F. F. F.
Convent at Peekskill, N. Y., where
I remained for about three years.
Then I came to Mrs. Webb, at
201 West 125 St., N. Y., to learn

II

dressmaking, and stayed with her from March, 1883, to December 1883. From December, 1883, to September, 1884, I lived with Mrs. King at No. 124 West 14th Street, N.Y., as general help. From Mrs. King I went to Mrs. Wheeler, a fish dealer's wife, at the corner of Sixth Avenue and 26th Street, N.Y., but stayed there only from September, 1884, to December, 1884, because I learned that the neighborhood was a bad one and my mother did not want me to stay there any longer for the reason aforesaid. From Mrs. Wheeler, I moved to Mrs. Augusta Baber, in the 'Berkshire', corner of 125th Street and Eighth Avenue, N.Y., where I remained from December, 1884, until August, 1885. From October, the 8th, 1885, until April, the 8th, 1886, I lived with Mrs. Bell Fryler. Then she went West but on October the 23rd, 1886, she came back and from that day on until April, 1887, I stayed with her again. At all these

places. I served as a general help from April to October, 1886. I lived with my parents. Mrs. Schryver allowed me to go out, when^{ever} I wished. I used to go out either on Thursday or on Sunday, some times on both days. I always went to my aunt's or to my parents house. I knew a good many men by sight and said good day to them but I never had any ^{extended} conversation with either of them, except as stated hereafter.

Her male acquaintances.

September 1885

Thomas Caffey, my present brother-in-law, was the first man with whom I became more intimately acquainted. He is a boat tender in Whaler's school on Old Broadway, ^{next to} my aunt's house. On ^{the 1st of} September, 1885, he invited me to go on a steam boat excursion with him. I told my father of it, and he said, I could go, but I insisted that my brother should come

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along, and he did. The excursion went to Jona Island, in the Hudson. I did not dance with Caffey on said day, because neither he, nor I could dance. I stayed principally with ^{my} Mrs. Wegerer and Mrs. Hill and watched their children, when they themselves were dancing. I knew other young men who were on the boat, but I did not keep company with them. Thereafter, I met Caffey for two months, ^{nearly} every Sunday at Mrs. Hattie Hill's house, on 130 E. and Old Broadway, and afterward in Lawrence Street, near Ninth Avenue. Afterwards my mother had to go to the hospital, and then my father allowed me to bring Caffey to our house, and he came there every Sunday or Thursday, when I had my day out. I never was alone with him. At that time the defendant boarded ^{with} my father and he, the defendant, was usually

present when Claffey was there. When I once refused to go out with Claffey, my sister accepted the invitation and went with him to the theatre. He then took more to my sister, and on August, the 14th, 1887, he married her.

In May, 1885, I went about three times on a walk on the Boulevard, between 131st and 139th Street, always between seven and eight in the evening, with Joe Murray, alderman Murray's nephew. He often came to my aunt's store and stayed there for an hour or half an hour and talked with me, but always in the presence of ~~the~~ my aunt.

I had no sexual intercourse with any man until the defendant seduced me.

Her experience with the defendant.
I think I made the defendant's personal acquaintance in my parents' house in December,

VI

1885. I had seen him for two years previous off and on in the neighborhood, and once he spoke to me in a candy store opposite my parents house. That was about three years ago, when I was with Mrs. Baber. He asked me to keep company with him, and I told him, I would not, as I was yet too young. He invited me to go to the armory with him, by where he had to drill. By "keeping company with him", he meant to have sexual intercourse with me. I said to him that I could not go to the armory with him, as it was no place for a young lady.

My idea that he wanted to have sexual intercourse with me, ~~arose from the fact~~ was caused by the recollection I had of what girls in the neighborhood had said about a certain girl, whom they called awfully bad, because she had ^{had} connection with boys, and they explained to me, what connection meant. I

thought then that, ^{that} was not very nice, that that girl would not go to heaven, when she would die. A girl that lived with another lady in Mrs. Phryler's house, informed me, when I was about fifteen years old, what the consequences of sexual intercourse are.

The next time I spoke to the defendant was at my parents house in December, 1885. My sister, my aunt my mother and Thom. Caffey were present. The defendant asked me, whether I would not stop keeping company with Caffey and whether I would not keep company with him. I said, I did not see why I should not keep company with Caffey, as he was very nice with me, especially when he the defendant kept company with another lady. I knew this from another girl. He said he had broken off with that girl, and if I would keep company with him, he would not

VIII

January 8
February 1886

look at that girl any more.
I said, my sister thinks more
of Thom. Caffery than I, and
if he would do what was right
I should keep company with
him. Then I met him every
Sunday, when I came home.
When my mother was in the
hospital, I once slapped one
of her children, he grew angry
thereat and said "don't slap
her again!" I told him to keep
still, that he had nothing to
say about it, and that I would
keep company with Caffery again.
He told me, he would never
speak to me again, if I did.
We then did not speak to each
other for about four weeks. He
then commenced to talk to me again
and said that if I were willing
to make friends up with
him, "you and I will be mar-
ried, when you are about seven-
teen years of age." I said yes,
as I am working. I said that
I was willing to make up
friends with him.

The promise
of marriage

My sister, Mr. Claffey, my little sisters and brothers and my aunt were present. I do not know whether they heard it; they were talking with each other. On that night he brought me home to Mrs. Thayer, but he never did so before. He came then again during the same week at my parents house, where there were several other young ladies. On that day nothing was said about the marriage, but he kissed me every night, when he brought me home. I liked him, but I did not do anything else but kiss him. On the 28th of February, 1886, he took me to a masquerade ball. Mr. Claffey and my sister were also there. The defendant learned we dancing there. We kept company together. The defendant and myself went home at midnight, while my sister and Claffey remained yet at the ball. We went right straight home, of course, we kissed each

X

other on the way. At home, I made a fire. ~~He said:~~

Another promise of marriage

He said: Katie, I love you enough to marry you, if you love me. I concluded that I would marry him. I said:

~~Yes, I shall marry you~~
~~if you love me~~
~~He told me not to let my~~

parents know and he asked me, to fix a day. I told him the 1st of August 1886, I picked out that day accidentally; I could just as well choose another day. He asked me not to let any body know; but I told my aunt Katie Lavelle ^{about an hour afterwards} to be my bridesmaid. She slept that night at my parents, but she was in Ireland. My aunt said, you ought to have more respect for the bones of your mother in the grave. ~~This man~~ has the reputation of being a rigger. We had no ^{sexual} intercourse that

with each other, but we kissed each other many times, I was sitting on his lap and he had both arms around my waist. From that day on we saw each other every Sunday and some ~~times~~ in nights in the week. On these occasions we were ~~looking~~ together about different things, but we did not speak about our marriages. My parents did not know of our understanding, and we never kissed each other in the presence of anybody else. On the 18th of March, 1886, the day after St. Patrick's day, we talked again about our marriage. He had come home drunk the night before, and was lying in bed. I said to him: You look fine, I shall forget the 1st of August, if you go on the way as you did last night. In the afternoon he reproached me for having spoken to my aunt about the marriage. When my aunt

XII

was going back to Ireland she spoke against our marriage and the defendant said to my mother: I take Katie, if I can get her. Mamma replied: You can't get her, even if you want her. That was on the 26th of May, 1886. From that day I did not think and speak about the marriage until he ~~seduced~~ seduced me in October, because mother felt bad about it and she told me that papa was angry at me, for the reason that the defendant had the reputation of being a colored man.

On Sunday

Seduction.

On Sunday the 3^d of October, 1886, in the evening between seven and eight o'clock Mr. More came into our rooms and said that papa's shop was on fire. ^{my mother, my mother and father} Everybody went out, except my little sister, for the defendant and myself. The defendant had

given me some medicine
 to purify my blood, as my
 face was covered with pimples.
 My mother saw him give
 me the medicine and also
 that I drank it. After having
 taken the medicine, I felt
 dizzy and weak. When I was
 in the family way, I said to
 the defendant: You drugged
 me, and he laughed only.
 I went to bed in my night
 gown, because I intended to
 remain in bed for the night.
 My little sister was in the same
 bed with me. About five mi-
 nutes ^{after} I had gone to bed, the de-
 fendant came into the bed
 room. I felt dizzy, just as
 if were to faint away. I
 saw him come in. He did
not say anything. He came
~~close~~ to the bed, I was covered,
 but was lying on the edge of
 the bed. He removed the cover
 from me, after he had opened
 his pants, while he was standing
 before the bed. Then he stepped into

XIV

the bed, got on top of me and had connection. I commenced to halloo, because it hurt me. He put his hand upon my mouth and said, it hurts only the first time. When he said this, I did not halloo any more. I did not want to attract the attention of others and did not want to wake up my little sister. After having had connection, he said; Katie, what would your father say, if you had a baby. I said, he would shoot both you and me. He remained in bed with me, until he heard papa and mamma come up. Then he jumped out, and I remained in bed. Next day I was sick all day. In the evening he came to my bed, and said: You need not mind, if you have a baby; you will be my wife any how. From the 3^d to the 23^d of October ¹⁸⁸⁶ I had daily connections with the defendant in

my parents house. On that day I went back to Mrs. Phoyler and thence he saw me every time I came home, sometimes twice a week. Then I had conversations with him in the open air whenever he brought me home.

When my father, my mother and sister ran out of the room to look after the ship, Johnston did not say anything, and I said merely that my head felt dizzy since I drank the medicine. He said you will not feel it to night; it is to-morrow morning that you will feel it. My parents and my sister came back in ten or fifteen minutes. It took me about two minutes to undress me. When Johnston came in to my room, neither I nor he did say anything. He remained in bed with me for about ten minutes. When we heard my parents return into the house, the defendant jumped out of bed and went into the front

XVI.

room, adjoining the bedroom. My parents had then not yet reached the private hall of our flat. I did not tell my parents anything about the sexual intercourse I had with the defendant, before the baby was born. In April, 1887, my mother once asked me whether I was in the family way and whether I was married. I denied it to her. Neither my father nor my mother knew anything of the promise of marriage from the defendant, before the baby was born. Three weeks after my delivery of child, I told my mother that the defendant had promised to marry me, after he had seduced me. Mother went then up to the priest. That was in August, 1887. Thereafter my father brought me to Mr. Blake in the Department of Charities and Corrections, ~~on the day~~ upon whose advice we went to the Harlem Police Court, and

on the next day the defendant was arrested.

I left Mrs. Schuyler in April, ¹⁸⁸⁷ on Wednesday after Easter Sunday. In the month of March the defendant said to me: You are getting awfully stout, I know, what is the matter with you. I shall take a couple of rooms and there we can live as husband and wife, and I shall marry you, after the baby is born. I replied: No, I shall never make myself so low as that. Then, he said, I shall take you to some house, where you can be confined. I did not make any reply. The next day he asked me again to go to a house for confinement, and I consented to go on Monday next, but I did not go before Friday following, the 13th of May, 1887. He brought me to Mrs. Kerns' house in 84th Street. There I stayed for two months to the 20th of July, 1887. While I was there, the defendant visited me twice or three times a week and had sexual inter-

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course with me. When the child was born, on the 4th of July, 1837, the defendant said, I could not keep the child, baby, because he was going to have it adopted. The child was given away without my consent and knowledge.

On the night of the 28th February 1886, while I was with the defendant in my parents' kitchen, my aunt Lavinia was sleeping in the front room. She could not have heard our conversation. Another aunt, Miss Mary Cavanagh, was sleeping in the hall room, adjoining the kitchen. The door thereof was closed, and she could not have heard our conversation.

The bed in which the defendant seduced me, was a double bed, a very wide bed. I lay at the edge, because it was a very warm ~~summer~~ day and my little sister was in the same bed. I did not expect the defendant to come to my bed that night. I am informed that Joe Murray, of

131st Street and Old Broadway,
Joe Conley, of Manhattan Street, oppo-
posite Broadway, and Dan Ford,
in Mrs. Callan's candy store, were
requested by the defendant to go
and swear that they had connection
with me.

Margaret Mulhearn

Wife of Thomas Mulhearn,
130 Street and Broadway, step-
mother of the complainant, eight
years married to J. M. Defund-
ant came about two years ago to
our house to board with us. I
have heard read the deposition about
complainant's antecedents and
find the same correct. On Wednes-
day after Easter Sunday the com-
plainant came home sick, and
I gave her some warm drinks,
because she said, her courses had
not come. I then asked her, whether
she was married and in the fa-
mily way. Her eyes filled with
tears. She walked out and said;
if anything of the kind were the
matter with me, I would tell

XX you. But she did not tell me. I did not ascertain that she was in the family way, until about three weeks after she had been delivered of child. Until then I did not know anything that she had had connection with the defendant nor did my husband know it. From the 14th of May, 1887, until the month of August the complainant did not come home. I tried to find out where she was, but did not succeed. When she had returned, she told me, she had been living out at some place in Brooklyn, but a week after I found out through a woman to whom the complainant had confided herself, that she had been delivered of child at Mrs. Fern's. I went there to get the baby, but could not get it. On the 16th of May, 1886, my sister, ^{who went back to Ireland} told me, to look out for Katie, as the defendant and Katie were going to marry each other. When I spoke to the defendant about it, he said: I have her to-morrow, if you give her to

me. Afterwards he said time and time again to me, that Katie would make a good house wife, and he would like to have her for a wife, if he could get her. The complainant was never present, when the defendant said this. He never told me that he promised the complainant to marry her. Until the complainant had been delivered of child, she did not say that the defendant had promised to marry her. Neither myself, nor, as far as I know, any body else saw my daughter and the defendant have sexual intercourse with each other. The medicine ~~above~~ referred to, the defendant gave to complainant in my presence. I thought as little about it, as if he would have given her a glass of water. When my husband and myself went out to see whether the shop was on fire, the defendant was in bed in the hall room adjoining the kitchen. We were all in bed. Katie was in the front hall room. That was at about eleven o'clock. When I came

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back, I found the defendant in our front room. He said, he was looking out, if he could see anything. My daughter, the complainant, was born on the 26th of May, 1881.

Katie Mulhearn, recalled, when I said before, that from May until October 1886, the defendant and myself did not speak about ^{our} the contemplated marriage, I was mistaken. I insist that I did not remember any conversation of that kind during said time. I remember now that about a week before the 21st of August, 1886, the defendant said to me: ~~that~~ I think our marriage is done for the present, at which I replied: Yes, for a while, until I have a place. I was then living with my parents and knew that the objected to our marriage. I would have married the defendant despite the objection.

tions of my parents. I considered him my future husband, and when on the 3d of October, 1886, he came into my room, I submitted to sexual intercourse with him, because I believed he would marry ~~him~~ me very soon. If I had not entertained such belief, I should not have quietly submitted to him, but should have resisted.

Elise Weisgerber,
1489 Avenue St.

Practical midwife. On the 10th of July, 1886, I delivered the complainant of a boy, in the house of Mrs. Kern, No. 247 East 84 Street. The house was in charge of a girl who has died since. Mrs. Kern was absent on the 10th of July, 1886. She had gone to Europe. She returned several days afterwards. The complainant was the only inmate

XXIV

of the house and her child the
only infant in the house
at the time. The child was ad-
vertised for adoption in the
N. Y. Staats Zeitung.

Edward Bruce
Dep. Just.

Mr. George Smith will testify in
rebuttal to a meeting of com-
p. Dairies with Henry Clark

POOR QUALITY
ORIGINAL

0427

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs,

John Johnston

BRIEF OF FACTS.

For the District Attorney.

Dated *January 17* 1888.
Edward Grace

Deputy Assistant.

POOR QUALITY
ORIGINAL

0428

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court-- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John McLean

John McLean

2

3

4

Offence

Dated

188

Magistrate.

Mr. George Smith, Officer.

Preinct.

Witnesses

No.

1489

No.

1489

No.

1489

No.

1489

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 Two 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 17 188 A. Smith Police Justice.

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

Dated September 188 A. Smith Police Justice.

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

Dated Sept 17 188 A. Smith Police Justice.

Fifth District Police Court
New York September 20th 1887

The People on Complaint of
Kate Mulhern

vs.

John Johnson

Seduction

Examination before
Hon.

Andrew J. White

Police Justice

Appearances

For People

For Defendant

G. Levy

D. M. Kahn Att.

Kate Mulhern, complainant, residing
at 130th Street and Old Broadway,
being duly sworn testified as follows:

Direct Examination by

Mr Levy

Q. Do you know John Johnson, the
defendant in this case?

A. Yes sir.

Q. When did you become acquainted
with him?

A. He was in our house two years.

(4)

L. About two years ago?
A. Yes sir.
L. When did he first board at your house?
A. I don't know that.
L. About what time?
A. I was not home at the time.
L. Don't you know about, what time?
A. About December I guess or January.
L. How did he promise to marry you?
A. Yes sir.
L. When?
A. The 28th of February.
L. What year?
A. 1886.
L. Where was that promise made?
A. In the house.
L. Did you agree to marry him?
A. Yes sir.
L. When were you to be married?
A. The 21st of August.
L. What year?
A. 1886.
L. When did he make this promise?
A. The 28th of February, 1886.
L. Did he afterwards seduce you?
A. Yes sir.
L. When?
A. The 2^d of October.

2. And did he seduce you upon the strength of that promise of marriage?

A. Yes sir.

2. What did he say, when he seduced you?

A. He said, "Never mind you will be my wife yet, so it don't make much difference".

2. On the strength of that- he seduced you?

A. Yes sir.

2. Were you pregnant?

A. Yes sir.

2. When were you delivered of a child?

A. The 4th of July.

2. Where is the child now?

A. I don't know, the midwife has it.

2. Did you send anyone to Johnson to ask him to marry you?

A. Yes sir, mamma did.

2. He has possession of that child now?

A. Yes sir,

2. Did he say anything about it?

A. He told the girl to bring it down stairs and not let me see it.

2. How prior to the time he had

connection with you, you were
virtuous?

A. Yes sir.

Gross Examination by Mr Van Cott.

2. How old are you?

A. 16 last May.

2. Where did this man first have
connection with you?

A. In my house.

2. When did you discover you were
pregnant?

A. About 3 weeks afterwards.

2. Then it was in October 1886?

A. Yes sir.

2. Did you tell your parents?

A. No sir.

2. Where did you go to give birth
to that child?

A. To Mrs. Kerns, in 84th St. between
2^d & 3^d Avenues. - 247-E-84th St.

2. On the 4th of July?

A. Yes sir, I went there ten
weeks before

2. Do you know Mary Ray?

A. Only by sight.

2. How long.

A. A year ago last summer.

- Q. Did you know that Mr Johnson was keeping company with her?
- A. No sir - I did after a while.
- Q. When did you first hear of it?
- A. About 6 months ago.
- Q. You did not know it until after you had connection with him?
- A. No sir.
- Q. What time did you go to this house in 84th St?
- A. The 13th of May.
- Q. Who paid your board there?
- A. John Johnson.
- Q. How much was it?
- A. Five dollars a week. He said.
- Q. Don't you know Miss Mulhern that you never had connection with him, until you went to this house in 84th St?
- A. No sir.
- Q. Did you tell your father & mother where you were?
- A. No sir - I wrote to them about a week before I came home - I came home the 20th of July.
- Q. How long after the child was born?
- A. Two weeks afterwards I came home.
- (3)

- Q. You were there 10 weeks?
- A. Yes sir.
- Q. What time did you go there?
- A. The 13th of May.
- Q. The child was born on 4th of July?
- A. Yes sir.
- Q. When did you tell he was the father of the child?
- A. I told a young lady, Miss Delaney, and she told my parents.
- Q. It was after the 20th of July?
- A. Yes sir, in August.
- Q. Your mother didn't know until this lady told her?
- A. No sir.
- Q. When did you last see the child?
- A. The day after it was born.
- Q. When did you see this man after the child was born?
- A. Saturday afterwards.
- Q. When was the child born?
- A. Monday.
- Q. Did you at any time prior to the time the child was born, ask Mr Johnson to marry you?
- A. Yes sir.
- Q. Did you while you were in the house of the midwife ask him?

- A. Yes sir. He said after the child was born he would marry me.
- Q. Why did you delay these proceedings so long?
- A. I did not want to tell my mother, but when I told her she brought it right to Court.
- Q. In August - 3 weeks after I came home.
- Q. Had you been in the habit of going on excursions with other people?
- A. No sir, only once with my mother.
- Q. Did you go on the Jackson Club excursion in September?
- Objection to - Objection Sustained
- Q. Were you in the habit of going out with other men?
- A. No sir.
- Q. You were living out?
- A. Yes sir.
- Q. Where?
- A. In 68th St. with Miss St. Halen.
- Q. Whereabouts?
- A. 101 - W - 68th St.
- Q. When were you with her?
- A. 14 months.
- Q. When did you leave her?
- A. Wednesday after Easter Sunday.

- Q. Didnt you talk with Mr. Johnson's friends about his being engaged to Miss Ray?
- A. No sir, he told me himself.
By the Court -
- Q. How long have you known this defendant?
- A. About 2 years.
- Q. Prior to the time he had sexual intercourse with you, did he say anything about marrying you?
- A. Yes sir.
- Q. How long before he had connection with you did he promise to marry you?
- A. 6 or 7 months.
- Q. At the time he had the sexual intercourse with you did he say anything about marrying you?
- A. Yes sir. He asked me to marry him I said I would.
- Q. What happened then?
- A. He told me to fix the day, I told him the 21st of August. - Then he had connection with me.
- Q. When?
- A. The 2nd of October.
- Q. Between the 28th of February and the 2nd of October, did you go out
- (8)

with him?

A. Yes sir.

Q. Did you go with him?

A. Yes sir.

Q. On the 2^d of October how did he come to have connection with you - state all the circumstances?

A. He was boarding in the house - Some one said the shop was on fire and my sister and slip - mother ran out - Then he gave me some medicine.

Q. Who did?

A. Johnson, He said to purify my blood, and then he insults me.

Q. What did he say?

A. He asked me what my father would say if I had a baby, I said he would kill me - He said - He will not kill ^{you} as long as you are going to be my wife soon.

Q. Immediately after he said that what happened?

A. He insults me.

Q. In what way - what did he do - you have got to answer that question?

A. I don't like to say it before any-

- body - what he did.

2. You must answer?

A. I was in bed, undressed, in my nightgown, and he had nothing on but his pants - he took them down, and had connection with me - he got on top of me, and had connection with me - My sister was in the bed at the time she was 9 years old then.

2. How long did you remain home?

A. Until the 23rd of October.

2. Where did you go then?

A. To Mrs. Kerns.

2. Did you see him after that?

A. Every Sunday night when I would come home.

2. At the house?

A. Yes sir.

2. Did he ever have any conversation about marrying you?

A. Yes sir. He told me to go to the doctor and see if I was in a family way, and if I was he would fix it all right - he would marry me.

2. Did you go to the doctor?

A. No sir.

2. When did you first learn you were

in a family way?

A. 4 months afterwards.

Q. How did you come to learn that?

A. He asked me if I felt any movement in my stomach, I told him yes, and he said you are in a family way.

Q. What happened then?

A. He said to go to Mrs. Brown the midwife in 84 St. and I went there to board for 3 months, and was delivered of a child.

Q. You don't know anything about the child?

A. No sir.

Cross Examination continued

Q. How old is your little sister?

A. 9 at that time.

Q. What time of the night did that happen?

A. About 9.30 in the evening.

Q. Did it wake her up?

A. No sir.

Q. How long was he in the bed with you?

A. About 10 minutes.

Margaret Mulhern, a witness,
residing on 130th St and Old Broad-
way, being sworn testified as follows.

Direct Examination by Mr Levy

Q. Do you know John Johnson?

A. Yes sir.

Q. When did you become acquainted
with him?

A. Two years ago last winter - he
was about a year and a half
boarding with me.

Q. Was he engaged to be married
to your daughter?

A. The 26th May a year ago, my
sister was going to Ireland, and
she said did you know he was
going to marry Katie, I said no.

Q. Did John Johnson tell you he
was going to marry her?

A. He said he liked her, and would
have her, if he could get her.

Q. Did you ever request him to
marry her?

A. Yes sir, when this happened.

Q. What did he say?

A. He said he couldn't do it.

Q. When you requested him to marry

her, after she was delivered of a child, what did he say?

A. He said I am married, I said no you are not - He said I am so near to it, there is no fun in it.

Cross Examination by Mr. Hancock.

Q. When did your daughter first tell you she was in trouble?

A. I found it out before she told me,

Q. Did she ever tell you?

A. No sir I asked her.

Q. When?

A. Before the baby was born.

Q. How long before?

A. About 6 weeks

Q. Where did you see her?

A. In my own house.

Q. What day of the month was it?

A. I could not tell that. - It was the Thursday following Easter Sunday.

Q. What did she tell you on the Thursday after Easter Sunday?

A. I ask her "Are you married or not" and she turned from me

window with tears in her eyes, and said no. - I said if you are it will be all right, better now than any other time.

2. This was on the Thursday after Easter Sunday?

A. Yes sir.

2. She denied that she was in a family way?

A. Yes sir.

2. And that any man had had connection with her?

A. Yes sir.

2. Did the doctor examine her?

A. Not that time.

2. When did he

A. On the 29th or 30th of April - He said she looked suspicious, and I asked him to examine her and have a private talk with her, and she was afraid to tell him.

2. What was the doctor's name?

A. Doctor O'Leary.

2. Where does he keep?

A. In Manhattanville.

2. Did he make an examination?

A. Yes sir.

2. What did he say

2. He said she looked kinder suspicious

- Q. Did you say this was on April 30th?
- A. The 29th
- Q. It was about the first of May?
- A. Yes sir.
- Q. Did the doctor say she was or was not in a family way?
- A. He said she looked kind of suspicious.
- Q. Then when did she leave your house?
- A. It was the 13 or 14 of May.
- Q. Did you know where she went?
- A. No sir.
- Q. You did not notify the police or anything of that kind?
- A. No sir.
- Q. When did you first see her after she left your house on the 13th of May?
- A. 10 weeks after.
- Q. That was in the latter part of July sometime?
- A. Yes sir.
- Q. Did she tell you then she had a baby?
- A. No sir, not until I found it out from another woman.
- Q. Did you try and ascertain where the child was?

- A. Yes sir.
- Q. Did you ask the midwife where the child was?
- A. No sir.

Re-direct examination by Mr Levy

- Q. Now you know that John Johnson was the only male companion of your daughter?
- A. Yes sir.

Defense

John Johnson, the defendant being sworn in his own behalf testified as follows:-

- Q. Where do you live?
- A. 131 St near Broadway.
- Q. And your business?
- A. Grocer.
- Q. How long have you known Kate Mulhern?
- A. All of 4 years.
- Q. How long did you live in her house?
- A. From October 1885 to December 1886. - about 14 months.
- Q. You heard her testify about your going to bed with her on Oct. 2^d 1886

- Is there any truth in that?
- A. No sir.
- Q. Did you at any time ever make this girl a promise of marriage?
- A. No sir.
- Q. Do you remember the 2^d of October any more than the 3^d or 10th?
- A. No sir, I don't remember the day at all.
- Q. Was there a fire that night?
- A. I think her father's shop was blown down.
- Q. Did you ever take this young woman to an excursion at any time?
- A. I never did in my life - I met her at a ball and danced with her, and went home with all the party.
- Q. Never took her out of an evening?
- A. No sir, I might have met her and spoke to her.
- Q. You had nothing to say to her on the subject of marriage?
- A. No sir.
- Q. Do you remember what time she left home to go to this midwife's house?
- A. Yes sir, it was in the month of May

Q. What about this child?

A. I saw the child on the 5th of July. The nurse brought it up, and showed it to her and I remarked at the time, that it was a nice child. The nurse held it there for a couple of hours, and then put it back in the cradle again. She saw the child afterwards, she admitted so to me. She was notified that there was a woman in the house to take the child, and she said let her take the child away. It remained in the house about a week altogether.

Q. For a week after it was born it was in the house?

A. Yes sir, it was born on a Monday and went away Friday.

Q. Did she say it was adopted?

A. Yes sir.

Q. Did you say you were the father of the child?

A. No sir.

Q. Cross examination by Mr. Levy
You were boarding at the house 14 months?

- a. Yes sir.
2. You remember October 2nd 1886?
- a. No sir.
2. The night of the fire?
- a. No sir, I remember the shop being blown away.
2. Did her father and mother go out?
- a. Her father went out.
2. Don't you know her mother went out?
- a. I do not.
2. Was her little sister there?
- a. I don't know. I went out half an hour afterwards.
2. You took her to this Mrs. Kerns house?
- a. Yes sir, I met her in Harlem and went with her.
2. Did you pay her board there?
- a. Yes sir.
2. You were there when the child was born?
- a. No sir.
2. Did you see the child?
- a. I did yes sir.
2. What did you say about the child to her?
- a. I only said it was a nice child. I told her it looked very much
- (19)

like her.

Q. Did you ever promise to marry her?

A. No sir, never.

Q. How often did you say you took her out?

A. I never took her out, I don't remember ever having taken her out.

Q. Where were you employed?

A. In Manhattanville.

Q. For how long?

A. Since about October 1885.

Q. Did you ever seduce a girl before you seduced her?

Objected to - Stricken out -
By the Court:

Q. This girl says you seduced her on the 2^d of October, she claims you were in bed with her, is that true?

A. No sir.

Q. Did you ever have anything to do with her at all?

A. Never until she went to the house in 84th St.

Q. Did you have connection with her there?

A. Yes sir.

Q. What brought her to the house in 84th St?

(20)

- A. She went there to be delivered of a child.
- Q. Who asked her to go there?
- A. She was not asked to go there.
- Q. Did you have anything to do with her going?
- A. She was only too willing to go.
- Q. You paid her board?
- A. Yes sir.
- Q. You paid her board without having any interest in her?
- A. Yes sir, she only asked me to keep it from her parents.
- Q. You went there and had connection with her in that house?
- A. Yes sir.
- Q. After you sent her there to keep this thing from her parents?
- A. I did, once Yes sir.
- Q. You did not have connection with her on the 2^d of the month?
- A. No sir.

Miss Augusta Kerns, residing at No. 247 - East 84th St. being sworn testified as follows:

- Direct Examination by Mr. Kanabot.
- Q. Did you ever see this young lady

before?

A. Yes sir.

Q. Was she an inmate of your house?

A. She was a boarder there while I was away.

Q. Were you there when she was delivered of a child?

A. No sir.

Q. Then how do you know it?

A. Because I saw the child.

Q. How do you know it was her child?

A. She showed it to me.

Q. You say you were not there at the time?

A. No sir, I came home three days afterwards.

Q. You had the child?

A. Yes sir.

Q. Do you know what became of the child?

Objection to - Objection sustained -

POOR QUALITY
ORIGINAL

0451

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Johnson 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 Johnson

Taken before me this

day of

Police Justice

State of New York

City and County of New York ss:

Police Court 5th District

Margaret Mulhern of
Said City, being duly sworn says
that she is of the age of twenty six years
and resides at No. 130th Street in
the City of New York. Deponent is
the stepmother of Katie Mulhern
the foregoing Complainant and that
deponent is well acquainted
with the said John Johnson the
defendant in said Complaint named,
and that during the space of
about two years last past said
Johnson has been the chosen and
only male companion of said Katie
and during said time said Johnson
has steadily visited said Katie at
deponent's residence with the knowledge
and consent of deponent and has
been received and regarded by
deponent and said Katie as the
affianced future husband of said
Katie.

That deponent knows the character
and reputation of said Katie for
chastity and virtue and that up to

and previous to the time of seduction
of said Kate as in the foregoing
Complaint related said Kate was of
chaste and virtuous character.

That deponent demanded
of said John Johnson the defendant
herein to marry said Kate but
he refused so to do.

Given before me this
day of September 1884
J. W. Smith

John Justice

State of New York
City and County of New York ss:
Fifth District Police Court

Natie Mathern
aged 16 years of 130th Street
and old Broadway in the City
of New York being duly sworn,
deposes that she is the complainant
herein that on the 2nd day of
October 1886, at the City of New York
in the County of New York John
Johnson did then and there unlawfully
and feloniously seduce and
carnally know deponent under a
previous promise of Marriage as
will hereafter more fully appear:
On the month
of January 1885, deponent became
acquainted with the said John
Johnson and said Johnson
continued from thenceforth to visit
deponent and professed great
love and affection for her.
That in
the month of February 1886, the said
defendant at said City of New York

of New York, did then and there
in consideration of deponent being
single and unmarried and would
at the request of the defendant
marry him, he the said defendant
did then and there promise and agree
to marry the deponent on the 21st day of August
1886, which promise of marriage
was a mutual promise entered into
by and between deponent and said
defendant.

That on the 2nd day of
October 1886, at the said City of New York
and County of New York, the said
defendant did then and there upon
the strength of his said promise
of marriage to deponent and
that she would soon be his
wife which he then and there declared
to deponent, unlawfully and feloniously
seduced deponent and carnally
knew and had sexual intercourse
with her under said previous
promise of marriage and on the
strength thereof.

That in consequence
thereof deponent became pregnant
with child of which the defendant

John Johnson is the father, and ~~defendant~~
was delivered of such child
on the 4th day of July 1887.

That defendant up to
and previous to the time of said
seduction, was of virtuous and
chaste character. That ~~the defendant~~ has been
requested to marry defendant but he refuses. Therefore defendant
prays that the said defendant
may be apprehended and dealt
with as the law directs.

Sworn to before me this } Katie Mulhern
day of September 1887 }

~~Sworn~~ Police Justice

POOR QUALITY
ORIGINAL

0457

Sec. 192.

5th

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before A. J. White Esq. a Police Justice
of the City of New York, charging John Johnson Defendant with
the offence of seduction

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

We, John Johnson Defendant of No. 531
West 131st Street; by occupation a Wool sorter
and James Johnson of No. 531 West 131st

Street, by occupation a Cop Surety, hereby jointly and severally undertake that
the above named John Johnson Defendant
shall personally appear before the said Justice, at the 5th 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 _____
Hundred Dollars.

Taken and acknowledged before me, this

day of

September

188

POLICE JUSTICE.

John Johnson
his
James Johnson
mark

POOR QUALITY
ORIGINAL

0458

OF NEW YORK,

Sworn to before me, this 17th day of September, 1887
Police Justice.

James Johnson free
the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth Twenty - 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 house & lot No. 531 West

131st Street, N.Y. City of the value of Five thousand Dollars free and clear.

James L. Johnson
mark

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

vs.

Taken the day of 188

Justice.

POOR QUALITY
ORIGINAL

0459

Witnesses:

Mrs. Mulhearn

Kato Mulhearn

Counsel,

Filed, day of 188

Pleads,

THE PEOPLE

vs.

John Johnston

[Section Penal Code]

Section

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Foreman.

May 15/88

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 Johnston

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

John Johnston
of the CRIME of *Seduction*,—

committed as follows:

The said

John Johnston,—

late of the *First* Ward of the City of New York, in the County of New York afore-
said, on the *second* day of *October*, in the year of our Lord
one thousand eight hundred and eighty-*six*, at the Ward, City and County aforesaid,

*did feloniously, under and by means
of a promise of marriage by him
made to one Kate Mulhern, who
was then and there an unmarried
female of previous chaste character,
seduce and have sexual intercourse
with her the said Kate Mulhern,
against the peace of the People of the
State of New York, and their dignity,
and against the form of the Statute
in and case made and provided*

Charles W. Brewster

District Attorney.

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 Johnston

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

of the CRIME OF

committed as follows:

The said

John Johnston
late of the ~~First~~ Ward of the City of New York, in the County of New York aforesaid, on
the *second* day of *October* in the year of our Lord one
thousand eight hundred and eighty- *six*, at the Ward, City and County aforesaid,

*did feloniously, under and by means of
a promise of marriage by him made
to one, Kate Mulhern, who was then
and there an unmarried female of
previous chaste character, seduce and
have sexual intercourse with her, the
said Kate Mulhern; against the peace
of the People of the State of New York,
and their dignity, and against the form
of the Statute in such cases made and
provided.*

John R. Fellows
District Attorney.

0462

BOX:

292

FOLDER:

2782

DESCRIPTION:

Jones, George

DATE:

01/10/88



2782

Counsel, Edw. R. Post
 Filed, 10 day of Jan 1888
 Pleads, _____

[Section _____ Penal Code]

THE PEOPLE

vs.

George Jones

Alc. Sullivan

JOHN R. FELLOWS,

RANDOLPH B. MARINE,

District Attorney.

A True Bill.

Edw. R. Post

Foreman.

May 5/93

Bail Discharged

Witness:
James M. Munn

This indictment

was found in January

1888 - defendant

charged with Indecent

Exposure

The defendant

should have been

discharged on his

own recognizance long

ago - in April 1887

The Court laid out

under 2 letters

stating she did not

wish to prosecute

defendant - I now ask

that these letters be

expunged & that defendant

be discharged on his own

recognizance

March 6/93

POOR QUALITY
ORIGINAL

0464

ELIHU ROOT,
THERON G. STRONG,
SAMUEL B. CLARKE,
JOSEPH KUNZMANN.

LAW OFFICE OF
ROOT AND STRONG,
45 WILLIAM STREET,
NEW YORK.

January 27, 1888.

The Hon. John R. Fellows,
District Attorney.

My dear Colonel:

I believe I was to send you a letter from the
prosecutor in the case of George Jones, regarding which, I saw
you a week or so ago. I enclose it. Henry Martin, to whom it is
addressed, was Jones' bondsman.

Very truly yours,

Elihu Root

or 35 Hall

Court of General Sessions, Part Two

THE PEOPLE

INDICTMENT

vs.
George Emis

For

To

M.

No.

James H. Young
42 West 54 Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for trial at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on _____ the _____ day of January instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

RANDOLPH B. MARTINE,
JOHN McKEON,

District Attorney.

(over)

30 May

Let this case
go off the term,
Jan 15/87 RB.M.
To Mr Parker

Grand Jury Room.

Part Two

PEOPLE

vs.

Geo. Innes

GL

Jan 18

Part 2 Tuesday 18th

int. Not for bail

tomorrow

Jan 18/57

P 18. ADD

Mr Parker

I think I notified
you that this case
was to go off term

Jan 17/87

P.B.M.

District Attorney's Office,

New York, JANUARY 14 1887

THE PEOPLE, &c.,

vs.

George Ennis

E. E. Anderson Esq.,

Attorney and Counsellor at Law.

Dear Sir:

Please take notice that
the above-named defendant, for whom you are
Counsel, will be placed on the calendar of
Part Two Court of General Sessions,
for trial on JANUARY 18. 1887

I presume
this has been
recalled.

Very respectfully,

RANDOLPH B. MARTINE,

District Attorney.

over

DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

SUBPOENA FOR A WITNESS TO ATTEND THE GRAND JURY ROOMS AND GENERAL SESSIONS.

Ask to see Mr. Bedford.
At 11 1/2 o'clock A.M.

In the Name of the People of the State of New York.

To Laura Simonson

of No. 467 West 21st Street.

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 6 day of March 1893 at the hour of 10 1/2 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

George Jones

Dated at the City of New York, the first Monday of

in the year of our Lord 1893

DE LANCEY NICOLL, District Attorney.

The Grand Jury calls witnesses in whatever order its Foreman pleases. The Foreman knows best for the public good. If you wait patiently on the day of attendance until your turn comes, it may save you waiting hereafter.

If it is very inconvenient for you to attend on the day designated, let the District Attorney's Officer or Clerk in the witness room know this at an early moment.

If you do not obey this Subpoena, or do not explain your absence, the Court will enforce your attendance by attachment, and fine you.

If you are ill when served, send timely notice of that fact to the District Attorney.

If other witnesses in this case are called, and another case taken up, you may know—unless otherwise advised—that the Grand Jury do not care to examine you; and you may then retire, mentioning your withdrawal to the officer or clerk.

If the Grand Jury adjourn, and you have not been called without explanation, inquire of the Chief Clerk in the District Attorney's office if you are wanted again and where.

Wpt living there
The tenants in house
have lived there 4
years and give no
information

Court of General Sessions.

THE PEOPLE

vs.

George Jones

City and County of New York, ss:

sworn, deposes and says: I reside at No.

Joos. H. Shannon being duly
217 Mulberry

Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the
City and County of New York. On the 1st day of March 1893

I called at 467 West 21st Street

the alleged residence of Laura Simonson
the complainant herein, to serve her with the annexed subpoena, and was informed by

the tenants in the house
that she did not live there.
The present tenants have lived
there for four years & never
knew any one by the name of
Laura Simonson & could give
me no information in regards to
her whereabouts.

Sworn to before me, this 6th day
of March 1893

Joos. H. Shannon
Subpoena Server.

Chas. A. Maguire
Comm. of Dist. N.Y.

POOR QUALITY
ORIGINAL

0473

Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

G. Jones

Offense:

~~JOHN B. MILLER~~

De Lancey Howell District Attorney.

affidavit of

Geo M. Shannon

Subpoena Server.

Failure to find Witness.

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

July 12, 1888.

People

George Jones -

Call my attention to
this before any steps are taken to
place it upon the Calendar

J. H. Williams
Dist. Atty

New York, April 20th 1887.

Henry Martin Esq. ;
Dear Sir :

Acting upon the advice of Mr. J. W. Upson, who appears to thoroughly convince by your representations to him that one George Jones whom I had arrested is a man who has heretofore born a good character, and that he will not repeat the offense, I have after a good deal of deliberation concluded not to prosecute him, as I am convinced Mr. Upson would not intercede for him as his attorney, or use his influence in his behalf, were he a man without some tincture of a gentleman.

I accept Mr. Jones' apology, and trust this mistake of his will prove a valuable experience to him. However and that you will never be called on again to interest yourself for him in a case of such an unpleasant nature.

Very Respectfully

Mrs. L. Simonson
467 W. 21st St.
N. Y. City.

The People
vs
Geo. Jones
Retained

New York, April 20th 1887.

Hon. Randolph B. Martine,
District Attorney,
New York City,
N. Y.

Dear Sir:

After mature deliberation I have concluded
not to press the prosecution of George Jones.

Yours Respectfully,
Mrs. L. Simonson,
467 W. 21st St.,
N. Y. City.

E. D. Rust

E. D. RUST,
Counsellor-at-Law,
132 Nassau St.

Vanderbilt Building,
Rooms 81 & 82.

New York, *Feb. 29.* 1887.

Hon. Randolph B. Martin
District Atty.
City.

Dear Sir: The enclosed letter emanating
in your office and apparently at your
instance has been handed me.

Mrs. Laura Simonson called at your of-
fice yesterday in answer to the request.
She says that she was treated very abruptly
by the gentleman that interviewed her, and
he tried to dissuade her in her intention
to prosecute the party against whom she
has preferred a charge of ^{mis}conduct. She
says that she was told that the defendant

is a very respectable gentleman, and of a good family; that he has a very able attorney to defend him, and that he is a warm friend of the party who interviewed her; that the defendant was intoxicated at the time &c.

Both Mr. & Mrs. Simonson are very indignant at the course taken by whoever it was in your office that interviewed her, ~~or that she~~ They are apprehensive the case will not be set for trial, and he will not be prosecuted.

The man was perfectly sober at the time I was informed, and there are several witnesses to the offense.

Will you please investigate this matter, and advise me. Yours Truly,
J. W. Upson

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

March 25th 1887

Mrs Laura Simonson,
No. 467 West 24th Street.

Madam,

The District Attorney re-
quests me to state that he desires
to see you in this office at
1 P.M. to-morrow (Saturday)
if you can make it convenient
to call at that hour.

Yours very truly,
William D. Fennell
Secretary.

The People
VS
George Jones
~~Indictment~~
The People
vs
George Jones
Indictment
The People
vs
George Jones
Indictment
The People
vs
George Jones
Indictment

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

POLICE COURT, DISTRICT.

Laura Simmons
of No. *467 West 21* Street, being duly sworn, deposes and says,
that on the *24* day of *February* 188*7*
at the City of New York, in the County of New York, *George Jones*

Sworn to before me, this

day

Police Justice.

Now present, did wilfully and
designedly expose the naked
private parts of his person to the
full view and gaze of deponent
that he passed up and down the
street above named, and seeing this
deponent sitting in a front room
window, he deliberately threw open
his overcoat and opening the front
part of his trousers pulled out his penis
and stood with his face towards deponent
thus exposing his person in a most lascivious & indecent
manner
Laura Simmons

POOR QUALITY
ORIGINAL

0482

POLICE COURT 2 DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

On Complaint of

For

Laura Simonson

Indecent exposure

vs.
George Jones

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

Dated

July 25 1887

George Jones -

Alvin Tamm Police Justice.

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty of the
charge
George Jones -*

Taken before me this

day of *July* 188*8*

Police Justice.

BAILED
No. 1, by Henry Martin
Residence 162 West 124 Street
No. 2, by
Residence
No. 3, by
Residence
No. 4, by
Residence
Street

Police Court District 32nd

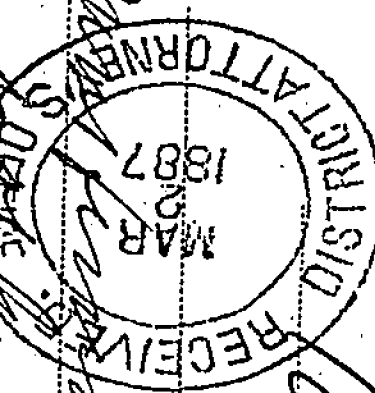
THE PEOPLE &c.,
ON THE COMPLAINT OF

Anna E. Thompson
George Jones
Offence Indecent Exposure

Dated February 25 188

Magistrate
Officer

Witnesses
No. 1
No. 2
No. 3
No. 4
Street



No. 1
No. 2
No. 3
No. 4
Street
to answer

Charles
Jones

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

George Jones
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \$1000 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 February 25 188 Police Justice.

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

Dated Feb 25 188 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.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Figoras Jones

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

Figoras Jones of a Misdemeanor,

~~of the name of~~

committed as follows:

The said *Figoras Jones*,

late of the *Sixteenth* Ward of the City of New York, in the County of New York afore-
said, on the *Twenty-fourth* day of *February*, in the year of our Lord
one thousand eight hundred and eighty-~~seven~~, at the Ward, City and County aforesaid,

*and that he did with ill will and intent
expose the private parts of his person
in a public place, to wit: in a certain
public street and common highway
there situate, known as West Twenty-
fourth Street, near Emma Simmons,
and divers other persons. To the great
jeopardy and scandal of the said
and the people, against the form
of the Statute in such case made
and provided, and against the peace
of the People of the State of New
York, and their dignity.*

JOHN R. FELLOWS.

John R. Fellows

District Attorney.

0486

BOX:

292

FOLDER:

2782

DESCRIPTION:

Judge, John

DATE:

01/17/88



2782

POOR QUALITY
ORIGINAL

0487

WITNESSES:

J. Freeman
James Selig

Counsel,

Filed 17 day of Jan'y 1888
Pleads *Not Guilty*

THE PEOPLE,

vs.
John Judge

John Judge

Burglary in the THIRD DEGREE.
Section 498, 506, 528, 532 and 550

John R. Fellows
JOHN R. FELLOWS,
RANDOLPH B. MARLINE,

Pr Jan'y 27/88 District Attorney.

Fried & Convicted P.L.

A True Bill. *Pen 8 ord.*

J. Freeman
Foreman.

Proctor

POOR QUALITY
ORIGINAL

0488

COURT of GENERAL SESSIONS OF THE PEACE,
City and County of New York.

-----X
The People :
vs. : Before
John Judge : Hon. Rufus B. Cowing
Indicted for Burglary in the : and a Jury
Third Degree :
Indictment filed, December, 1887 :
:-----X

Tried, January 27th, 1888.

APPEARANCES:

Assistant District Attorney Bedford for the People;
Mr. John Heinzleman for the Defence.

JENNY SELIG, the complainant, testified that
she was a married woman, and lived at 125 Colum-
bia street. Her room was on the second floor
of the house, in the rear. On the 11th of
January she left her room at about 4 o'clock in

**POOR QUALITY
ORIGINAL**

0489

2

the afternoon and locked her door behind her. She was out of the room about 15 minutes, and the door was open. She missed two coats valued at \$10. She saw one of the coats afterwards and identified it.

UNDER CROSS--EXAMINATION, she testified that the door was locked. When she returned she had to unlock it. The keys were on the floor when she went out--near the window. She had one child about three and a half years old. She had no boarders. Two other families lived on the same floor.

ISAAC FRIEDMAN testified that he was a clerk in a pawnbroker's office at 344 East Houston street. He was acting as such clerk on the 11th of January, 1888. He saw the defend-

POOR QUALITY
ORIGINAL

0490

3

ant in the store on that day. His, witness's father had a conversation with the defendant and he heard it. He, the defendant, came in with a coat, and asked \$3 on the coat, and as witness's father asked where he got the coat, he said that some one outside had giwen it to him, and his, witness's, father said to him, "bring him in," and he went out, and didn't come back again until the officer brought him in.

UNDER CROSS--EXAMINATION, he testified that he had known the defendant by sight along about two months. He, the defendant, didn't have a pawn ticket in his hand when he came in. It was about 5 o'clock in the afternoon that he, defendant, entered the pawn shop.

OFFICER PATRICK BRENNAN testified that he was attached to the 13th Precinct. He got some

4.

information from the pawn broker, and sent an officer to arrest the defendant.

OFFICER MEYER testified that the officer who arrested the defendant brought him back to him, the witness, and he took him to the Police Court, and he was under bail for trial. In the pawn--broker's shop, the pawnbroker identified him, and the complainant identified the coat that he had tried to pawn.

UNDER CROSS--EXAMINATION, the officer testified that he had delivered the coat, by order of the Court, to the complainant.

FOR THE DEFENCE,
JOHN JUDGE testified that he lived at 96 Columbia street. He was a peddler and furniture mover.

POOR QUALITY
ORIGINAL

0492

5

He remembered the day of his arrest. He was sitting in a saloon after getting through with his work on that day. He worked until a quarter to on o'clock. He had turned over his money to his mother, and told her to tell some one to feed his horse, and he went down to the saloon, and a man named Thomas Brady came up to him, and asked him if he wanted to make a quarter of a dollar, and he, the defendant, said that he did, and Brady told him to take the coat around to the pawn--broker's and get \$3 on it, and get his overcoat out. The pawnbroker asked him who was the owner of the coat, and he told him that the owner was outside, about a quarter of a block away, and the pawnbroker told him to tell the owner that he wanted to see him, and he, the defendant, went outside and told Brady that Mr. Friedman wanted to see him. With that Friedman turned around and went through Houston Street for all he was worth

6

He, the defendant stood there very much mortified and Officer Meyer came after him and arrested him. Before he was arrested he returned to the saloon. He was afraid to return to the pawn shop and tell Mr. Friedman about the way Brady had acted, because he was afraid of being arrested.

UNDER CROSS--EXAMINATION, he testified that he had been in trouble before. He left the penitentiary about two years and a half before. He was there three months for assault. He had also served one month for larceny. He had known Brady by the name that he had on his wagon. He met him in a saloon in Washington street once in a while.

IN REBUTTAL,

The Officer being recalled, testified that the

POOR QUALITY
ORIGINAL

0494

7

defendant told him that he got the coat from a man who was going out of the pool room in Houston street, and he didn't mention the name of Brady and said that he didn't know who the man was.

UNDER CROSS--EXAMINATION he testified that he knew that the defendant was a peddler, but that his name was not Judge. He had three or four names.

THE DEFENDANT, being recalled by his counsel, testified that his real name was Alexander Sidenberg. He gave the false name so as not to disgrace his mother, and he thought he could get out the next morning. His father was a public officer in his life time. His father had been dead about 18 months.

**POOR QUALITY
ORIGINAL**

0495

8

UNDER CROSS-EXAMINATION, he testified that
he was sentenced to the Island twice under the
name of Alexander Sidenberg.

1

POOR QUALITY
ORIGINAL

0496

The People

v

John Judge

filed Jan 1888

Included for Burlington
the Third Degree

Indictment filed Dec 1887

Lined June 17/1888

Before Hon. Rufus B. Perry
and a jury

8

POOR QUALITY
ORIGINAL

0497

Police Court 3^d District

City and County } ss.:
of New York }

of No. 123 Columbia Street, aged 37 years,

occupation House Keeper being duly sworn

deposes and says, that the premises No. 123 Columbia Street, 11th Ward

in the City and County aforesaid the said being a four story brick

apartment house, and the second

floor which was occupied by deponent as a dwelling

and in which there was at the time no human being, by name

were BURGLARIOUSLY entered by means of forcibly opening

card room door by means

of a key

on the 11th January 1888 in the Day time, and the

following property feloniously taken, stolen, and carried away, viz:

Coats of the value of ten dollars

(\$10)

the property of Mr. Boer, in care of Deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen and carried away by

John Mage (now here)

for the reasons following, to wit: On said day and

date Deponent locked and

effectually closed the door of

card room at (4) four o'clock

P.M. and went out, at about

four fifteen o'clock on the same

day Deponent returned and

found card property gone

When Deponent discovered persons

POOR QUALITY
ORIGINAL

0498

I notified the Police authorities.
They ascertained that said coat
had been pawned, and Deponent
identified said property as hers,
and the Pawn Broker recognized
said Judge, Defendant as the
man who pawned said property.
Therefore Deponent now charges
said Defendant with Burglary
entering her room and taking there-
from said property, stealing
carrying away and pawning
said property, and prays that
he be dealt with as the law directs.
Sworn to before me
this 14th day of Jan 1888
J. M. Dutton Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
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 1888
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated 1888
Police Justice.

Police Court, District,	Office—BURGLARY.
THE PEOPLE, &c., on the complaint of	
1.	
2.	
3.	
4.	
5.	
Dated 1888	Magistrate.
	Officer.
	Clerk.
Witness.	
No.	Street.
No.	Street.
No.	Street.
\$	to answer General Sessions.

POOR QUALITY
ORIGINAL

0499

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 21 years, occupation Carroll Broker of No. 344

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

Sworn to before me, this

day of

14
188

Isaac Friedman
John Patterson
Police Justice.

POOR QUALITY
ORIGINAL

0500

Sep. 198-100.

3

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

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

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty

John Judge.

Take before me this

day of

188

Police Justice.

0501

Residence

Street.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Miss D. C. L.
125 Chambers St.
New York
England

1

89

Street.

.....

Dated 188 *Police Justice.*

POOR QUALITY
ORIGINAL

0502

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 Fudge

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

John Fudge

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

The said

John Fudge

late of the *Eleventh* Ward of the City of New York, in the County of New York
aforesaid, on the *Eleventh* day of *January*, in the year of our Lord one
thousand eight hundred and eighty-*eight*, with force and arms, in the
day time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *Jennie Selig*.

there situate, feloniously and burglariously did break into and enter, with intent to
commit some crime therein, to wit: with intent, the goods, chattels and personal
property of the said *Jennie Selig*.

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

0503

SECOND COUNT.

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

John Judge —

of the CRIME OF *Petit* LARCENY, —

, committed as follows:

The said *John Judge*.

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

Two coats of the value of
five dollars each.

of the goods, chattels, and personal property of one *Jennie Selby* —

in the dwelling house of the said *Jennie Selby* —

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.

POOR QUALITY
ORIGINAL

0504

THIRD COUNT.

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

John Judge

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

The said

John Judge

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

Two coats of the value of

five dollars each.

of the goods, chattels, and personal property of

Jennie Selig

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

Jennie Selig

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

John Judge

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen), 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,

~~RANDOLPH B. MARTINE,~~

District Attorney.