

0792

BOX:

340

FOLDER:

3217

DESCRIPTION:

Brown, Charles

DATE:

02/27/89



3217

0793

Witnesses:

Joseph Barton
Proposed Prisoner

Counsel,

Filed

24 day of July 1889

Pleads,

THE PEOPLE

'88.

Charles Brown

Grand Larceny Second degree.
[Sections 528, 531 —, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

John R. Fellows
Foreman

July 24, 1889

Proposed Prisoner

Pen 7 months.

0794

Police Court—4 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 112 East 17th Street, aged 29 years,
occupation Clerk being duly sworn

deposes and says, that on the 15 day of February 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property viz :

A quantity of gentlemen's
wearing apparel of the value
of three hundred dollars
\$300.00

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 Charles Brown (nowhere)

from the fact that said property
was in deponent's bed room located
on the 3rd floor back of the above
premises. That
deponent is informed by Margaret
Marion of No 112 East 17th Street
that at about 10 o'clock A.M.
of the above date she discovered
deponent in said room and
saw him put his hands in the
pockets of some of deponent's clothing.

Joseph Barton

Sworn to before me this

188

day

Police Justice.

0795

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 59 years, occupation Superintendent of No.

112 East 17th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this

day of

1889

15 Sept 1889 her Margaret Barton deponent

John Horman
Police Justice.

0796

Sec. 198—200.

H District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Charles Brown being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is *his* right to
make a statement in relation to the charge against *him*, that the statement is designed to
enable *him* if he 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. *Charles Brown*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *N^o 902 East 147th Street*

Question. What is your business or profession?

Answer. *Porter*

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
Charles Brown

Taken before me this

day of *July* 188*9*

Alfred Thompson
Police Justice.

0797

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

Dated July 15 1889 John J. Harrison Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0798

Police Court---

25th
District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Joe Barton
112rd East 17th
has Brown

1

2

3

4

Offence

*Attempted
Larceny*

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street

Dated

1889

German Magistrate.

Walsh Officer.

18 Precinct.

Witnesses

Margaret Marion

No.

112 E. 17th St

Street.

No.

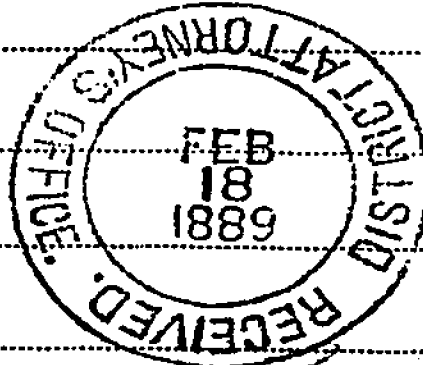
Street.

No.

Street.

\$

to answer



400
Can
92nd

0799

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles Brown

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

Charles Brown
attempting the crime of
of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed
as follows:

The said

Charles Brown

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

divers articles of clothing and wearing apparel of a number and description to the Grand Jury aforesaid unknown, of the value of three hundred dollars, and divers goods, chattels and personal property a more particular description whereof is to the Grand Jury aforesaid unknown, of the value of two hundred dollars, of the goods, chattels and personal property of one Joseph Barton

attempt to
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
District Attorneys

0800

BOX:

340

FOLDER:

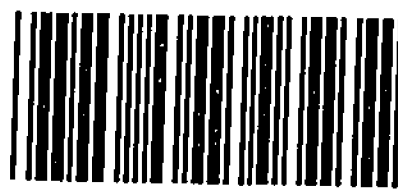
3217

DESCRIPTION:

Brown, Thomas

DATE:

02/19/89



3217

Witnesses:

Gallagher

Wm. J. Mayman

I have made a careful examination of the within case and am satisfied from my examination that there is grave doubt of the people being able to prove that admitting was taken. Therefore, respectfully recommended that a plea of attempt at robbery in the first degree be accepted.

Sub 2 Dec. 21st /89

Wm. J. Mayman
Deputy Clerk

Counsel,

Filed

19th day of Feb. 1889

Pleas,

Guilty

THE PEOPLE

vs.
330

Thomas Brown
Robbery in the
(MONEY)
[Sections 224 and 227 Penal Code].
degree.

JOHN R. FELLOWS,

District Attorney.

Filed for March 29, 1889

A TRUE BILL.

S.P. 54th Re 1.

Geo. Pickerson

Foreman.

0001

0802

Court of General Sessions.

The People

vs.

Thomas Brown

Indictment:

Robbery in the 1st degree
§§ 224 & 228 9. C.

having on the 10th of February, 1889,
between 1 and 2 o'clock A. M., knocked
the complainant James Gallagher,
^{in East 29th Street, between 2d and 3d Avenues,}
down in the street, took a pair
of gloves from the pocket of the com-
plainant and attempted to take
his money, consisting of \$40 in
bills, and his gold watch and chain,
of the value of \$50. The defendant
was aided in the robbery by three
other men who escaped.

James Gallagher, 722 Sixth Avenue,
Keeper of an oyster saloon on said
premises. On the 10th of February, 1889,
^{in 29th Street, near 2d Avenue}
between 1 and 2 o'clock A. M., while
on my way to my mother's house
No. 228 East 29th Street, I was sud-
denly surrounded by the defendants

0003

and three other men, who afterwards escaped. One of them hit me on the head from behind; the blow felled me to the ground, and the four men then tried to rifle my pockets, but I, using my hands and feet against them, prevented them from getting into my vest pocket where I had my gold watch with a gold chain attached to it, together of the value of \$50, and from getting into my trousers pocket, where I had \$40 in bills. They got into my coat pocket and took a pair of kid gloves out, valued at \$1, which ~~were~~ were afterwards found in the street by the officer. The blow which they inflicted ~~me~~ on ~~the~~ my head, caused a scalp wound, which is not yet entirely healed. While lying on the ground, I held the defendant by his legs, until officer McAdam came and arrested him.

Magan

James H. McAdam, patrolman,
21st precinct. On the 10th of Fe-
bruary, 1889, between 1 and 2
o'clock A. M., while on my post

0804

in East 29th Prec. I heard the cry
of "Police! Murder!" I ran in
the direction of the cry and found
the prisoner kneeling upon the
complainant. I arrested him, and
he resisted and ~~he~~ continued
to put his hands into his pockets.
On the way to the station house,
he threw a dark colored article
into a basement, 512 Third Avenue.
After handing the defendant to
officer Clinton, I went down in
to the basement and found a
kid glove, which the complainant
afterwards identified as his glove.
Later on I found the other glove
on the side walk where the rob-
bery occurred. When I approached
the complainant, while he was
lying down, three other men
ran away. In the station house the
prisoner gave his name as Andrew Jones,
in the police court as Thompson Thompson,
to give his residence, 330 East 32 Prec. as false.
In East 2 Prec. His real name is ~~Thompson~~ ~~Clinton~~
Lawrence Clinton, patrolman
21st precinct. I walked behind
the defendant when he was brought
to the station house and saw him
throw the said glove into the
said basement. I have been informed
that the prisoner was implicated in a robbery
at Hoboken, N. J., where his two accomplices are
now serving a term of 8 years each.

0005

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs.

Thomas Power

BRIEF OF FACTS.

For the District Attorney.

Dated *March 12* 1888
Edward Grace

Deputy Assistant.

0806

DISTRICT CLERK'S OFFICE.

PEOPLE

vs.

Thomas Brown

Trial Witnesses;

James Gallagher
722 Lenox Ave.

James Magan
and Lawrence Clinton
21st precinct

0807

CITY AND COUNTY }
OF NEW YORK, } 88.

POLICE COURT—FOURTH DISTRICT.

Oyster dealer, *James Gallagher*, age 49
of No. *422*, *10th* Avenue Street,being duly sworn, deposes and saith, that on the *10* day of *February*
1889, at the *attempted to be* *21st* *5th* Ward of the City of New York, in the
County of New York, was feloniously taken, stolen, and carried away, from the person of deponent,
by force and violence, without his consent and against his will, the following property, viz:*good and lawful money of the United States, consisting of Bills of various denominations and value and in all of the value of forty dollars, and one gold watch with gold chain attached of the value of fifty dollars and property being in all of the value of twenty dollars to 90.⁰⁰**and one pair of Gloves of the value of one dollar*

of the value of _____ Dollars

the property of *deponent*

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

*James Brown (now here) and three other persons not arrested and whose names are unknown to deponent, from the fact that at the hour of about 2 o'clock in the morning of said 10th day of February 1889 deponent was walking along East 29th Street between the 2nd and 3rd Avenue when deponent had said James in a pocket book, and in the left hand pocket of the coat then worn upon deponent person, that said Watch & Chain attached was in the left hand pocket of the coat of deponent's bodily clothing when said defendants struck deponent on the head, knocking deponent down, when said defendant Brown attempted to put his hand in deponent's pants pocket, deponent violently resisted and gave several hallmarks Police when the officer James & Maguire came up and arrested said Brown the other defendants escaped**James Gallagher*

day of

Sworn to before me, this

February

1889

Police Justice.

0000

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Edward Brown being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is his right to
make a statement in relation to the charge against him; that the statement is designed to
enable him if he 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. Edward Brown

Question. How old are you?

Answer. 32 years

Question. Where were you born?

Answer. England

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

Answer. 330 East 32 Street 4 months

Question. What is your business or profession?

Answer. Labourer

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

Thomas Brown

Taken before me this

10

day of

February

188

9

John J. Brown, Police Justice.

0809

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 Thirty 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 Feb 20 1889 John J. Korman Police Justice.

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

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

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

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

08 10

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Gallagher
722 1/2 1st ave
1 *James Brown*

2

3

4

Offence

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street

Dated

Feb 10

1889

Magistrate.

James Magan

Officer.

W. Chittre

21

Precinct.

Witnesses

John Kaffer

No.

Street.

No.

Street.

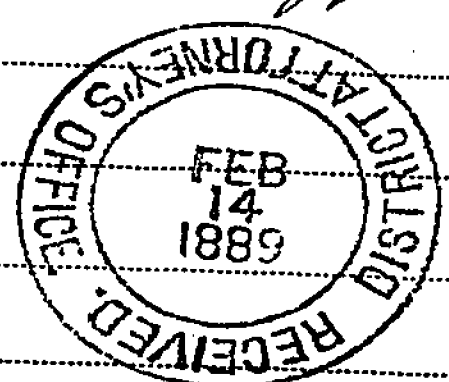
No.

Street.

\$

3000 to answer

Case



08 11

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Brown

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

of the crime of ROBBERY IN THE 1st DEGREE, committed as follows:

The said

Thomas Brown,

late of the City of New York, in the County of New York aforesaid, on the 10th day of February, in the year of our Lord one thousand eight hundred and eighty-nine, in the night time of the said day, at the City and County aforesaid, with force and arms, in and upon one James Messager, in the peace of the said People then and there being, feloniously did make an assault, and two promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each; four promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each; eight promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each; twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each; forty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each; two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each; four promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each; eight promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each; two United States Silver Certificates of the denomination and value of twenty dollars each; four United States Silver Certificates of the denomination and value of ten dollars each; eight United States Silver Certificates of the denomination and value of five dollars each; twenty United States Silver Certificates of the denomination and value of two dollars each; forty United States Silver Certificates of the denomination and value of one dollar each;

\$40.-

08 12

~~Two~~ United States Gold Certificate~~s~~ of the denomination and value of twenty dollars
~~each~~, ~~two~~ United States Gold Certificate~~s~~ of the denomination and value of ten
dollars ~~each~~, ~~one~~ United States Gold Certificate~~s~~ of the denomination and value of
five dollars ~~each~~; and divers coins, of a number, kind and denomination to the Grand Jury
aforesaid unknown, of the value of ~~ten dollars~~, one watch
of the value of ~~thirty five~~ dollars,
one chain of the value of ~~fifty~~
dollars, and one pair of gloves of
the value of one dollar, —————

of the goods, chattels and personal property of the said ~~James Gallagher~~,
from the person of the said ~~James Gallagher~~, against the will,
and by violence to the person of the said ~~James Gallagher~~,
then and there violently and feloniously did rob, steal, take and carry away, (the said
~~Thomas Brown~~, being then and
there aided by an accomplice
actually present, whose name is
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.

JOHN R. FELLOWS,

District Attorney.

08 13

BOX:

340

FOLDER:

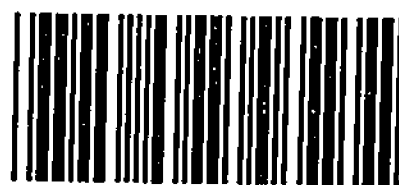
3217

DESCRIPTION:

Burke, John

DATE:

02/14/89



3217

00:14

Robert C. Anderson

5/15/1948

20

08 15

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the house of *Coroners Office*
No. 67 Park Row Street, in the *4th* Ward of the City of
 New York, in the County of New York, this *21st* day of *January*
 in the year of our Lord one thousand eight hundred and *eighty nine* before
Louis W. Schultz Coroner,
 of the City and County aforesaid, on view of the Body of *Michael Moore*

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

came to his death by
Penetrating stab wound of intestines, inflicted
with a knife in the hands of John Burke, at
40 West 19th Street, December 25th, 1888.

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

JURORS.

<i>Wm. King 53 Frankfort St</i>	<i>Therese Menken 339 Pearl</i>
<i>Morris Goldby 36 Catherin St</i>	<i>J. Bernick 10 Bowery</i>
<i>Wm. Egerhoff 11 Bowery</i>	<i>A. Hansmann 152 South</i>
<i>J. Chen 36 Wmway</i>	<i>Daniel O'Reilly 54 Oliver St</i>
<i>Peter Beyer 148 South</i>	<i>Niclaus Schneider 86 Rupp</i>
<i>John Muehl 7 10th St</i>	

Louis W. Schultz

CORONER, I. S.

08 16

Coroner's Office.

TESTIMONY.

Louis B. Dineen being sworn says I live
 at 40 West 19th St. - on Christmas night
 while we were eating our dinner
 I heard a disturbance in the kitchen
 below - my son got up & went down
 to see what the matter was - I got down
 & found 2 men had been in the kitchen
 The cook was also in the kitchen
 The first man who got out the door
 came out - her face was speckled
 with blood. she explained something
 my sons in law followed us - she
 & man was ordered out - I did not know
 he had been hurt - we went back
 for the second one who went out
 we went back to dinner - We
 heard the bell ring & 2 Policemen
 came & asked for two girls - He said
 a man had been stabbed & taken to
 the Hospital - The cook told me
 that had been some cutting -
 her hand had been cut in taking
 away the knife - The cook said
 a knife had been used - she
 cut her hand in trying to take it
 away from the man who
 had been using it - it was a black
 handled knife - The cook told

Taken before me

this day of

188

CORONER.

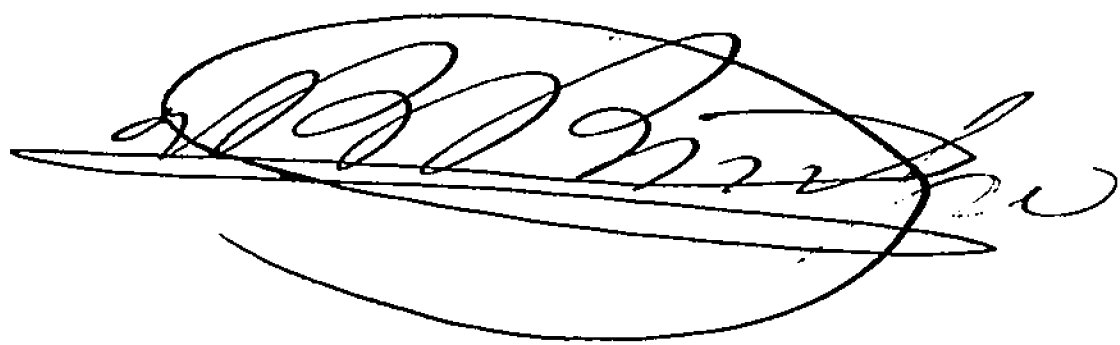
08 17

Coroner's Office.

TESTIMONY.

2

told the officer she had washed the knife & put it back with the others. One of the men was the brother of the cook & the other was the cousin of the waitress - one's name was Burke & the other Moore. The occurrence took place about 30 minutes to 8 in the evening I had seen the prisoner in the kitchen before. I have one of the servants now in my employ as waitress. The cook said there had been a fight & a knife had been used. She told me she took the knife away from the man who had used it. The officers went down to the kitchen & interrogated the cook.



Taken before me

this 27 day of January

1889

J. J. Burke

CORONER.

08 18

5

Coroner's Office.

TESTIMONY.

Officer W. Decker 19th Precinct New York
 says: About 8th Christmas night I
 was between 6th & 7th Aves I heard the
 rap of a club I immediately went
 up there in front of 68th 19th I found
 Michael Moore lying on the side-
 walk. I summoned an ambulance
 the man taken to New York H^{ospital}.
 I questioned him who had
 done it he told me it was a man
 by the name of Burke who had
 stabbed him with a table knife at
 40 West 19th I reported the case at
 the station house. I came back &
 searched ^{for} the knife but could
 not get it. While in there ^{Burke's} sister
 wanted to leave the house & I thought
 it would be better to arrest her
 she told me there was a fight or
 scuffle there and that a knife
 had been used by her brother -
 that she grabbed the knife & put
 her left hand. I found a towel
 & an apron in a washtub
 in about 6 inches of water covered
 with blood. I asked where the knife
 was she told me she had washed
 the knife & put it away ^{with other things} - I asked

Taken before me

this

day of

188

L. W. Schulz

CORONER.

08 19

Coroner's Office.

TESTIMONY.

her where the prisoner was. She would not tell me - I asked deceased what the cause of the stabbing was he said they had been drinking. Deceased told me this man Burke stabbed him - his pants were open & bloody. Deceased refused to tell me - he said they had been drinking & a drunken quarrel ensued. Deceased's Dr. ^{at times} of liquor. ~~I asked the cook~~ I asked the cook if she saw the stabbing she replied no - then I asked her how she got the cut on her hand - she replied that she grabbed the knife. I did not arrest the defendant.

William Heacher

Taken before me

this 2nd day of January 1889.

Louis F. Schuch — CORONER.

0820

Coroner's Office.

TESTIMONY.

Thomas Hays Decker ^{Decker}
 On Christmas night I was notified
 that there was a stabbing affray
 in 19th Street. I saw several men
 mentioned when I reached
~~the~~ 19th Street a man who answered
 the ~~description~~ ^{description} of the
 prisoner by the name of Burke.
 I learned he came from 407 1/2nd St
 I brought him around to the Hospital
 to see if the injured man would
 identify him. I asked Moore if
 this was the man who cut him.
 He told me No - it was a man
 by the name of John Burke the
 Cooks brother. I asked him the
 cause of it. He replied "that's all right"
 I left the Hospital & went to 19th St
 & met the Cook Mrs Burke. I
 asked her about the case. She
 said Mike Moore & her brother had
 a fight in a liquor store - they
 made up & came back again
 & renewed the fight again in the
 hall - She said her brother
 John Burke picked up a knife
 off the table & she got between
 them & wrested the knife from

Taken before me

this

day of

188

 Louis W. Schurz
 CORONER.

0821

Coroner's Office.

TESTIMONY.

himself asked for the knife what
 he meant - she said it was
 a common table knife & she did
 not know what he meant
 I searched for the knife but could
 not find it. The Court said the
 prisoner did not know
 I asked ^{her} the prisoner ^{where} ~~where~~ ^{he} went
 to & why he did not furnish up
 he said would only for good water

Thomas F. Hayes

Taken before me

this 24th day of January 1889

Lucas W. Schenck
 CORONER.

0822

Coroner's Office.

TESTIMONY.

Dick Henneke being sworn says
Lumber Keeper at 6 am & 18
street. I don't know anything
about the case. I don't know
whether the deceased or defendant.
If there had been a fight in the saloon
I would have known it.
There was no fight in the saloon that
I know of.
D. Henneke.

Taken before me

this 2nd day of January 1889

Louis W. Schulz - CORONER.

0823

Coroner's Office.

TESTIMONY.

8

Julia Keese being sworn says: I live at
 40 West 19th St I am servant for
 Mr Burke - On Christmas eve
 Michael Moore called to see me
 about 20 minutes to 7 - I was busy
 told him I would not be through
 before 10 & 11 o'clock
 At 5 minutes to seven Michael
 Moore stood up - Burke stood
 up also - as I was going up stair
 Michael Moore was at the door -
 Burke was in the back base-
 ment talking to his wife - I went
 up & in an hour after - there was a
 heavy fall heard down stairs -
 The gentlemen went down stairs
 I followed 3 or 4 minutes after I
 met Michael Moore coming from
 the kitchen & he said to me he was
 stabbed - I asked who stabbed him
 he said Burke - I rushed into the
 kitchen to see who was there I saw
 Burke sitting in a chair & his sister
 had a towel in her hand with
 a spot of washing his face - I followed
 Michael Moore on the sidewalk
 I returned to the house & told
 what happened as I got to the gate

Taken before me

this

day of

188

Louis W. Schulz

CORONER.

0824

Coroner's Office.

TESTIMONY.

9

I swooned. I was carried in
the basement - before the police
came I said to Burke's sister
How did this happen she said
I don't know but see I cut
my finger in trying to take the
knife from my brother.

The knife that was used on
the day & had been missing has
been found under the stairs of the
basement. (knife shown witness)
I identify the knife shown as the
knife that was used. I have used
the knife many times - I saw the
knife before the stabbing it was used
in the kitchen - I did not see it again
until it was found under the
basement stairs - I saw it when
it was found a week ago last
Saturday. The cook called me & said
Julia I have found the knife.
I gave the knife to Mr Birney
Moore was at the door & Burke
was in the act of following him
out. Moore was my Cousin.
The knife was not broken before the stabbing

Julia Dwyer

Taken before me

this 7 day of January 1889
L. H. Schenck, -

CORONER.

0825

Coroner's Office.

TESTIMONY.

10

Annie Stanton being sworn dep: I
 being an I am sworn in Superior of
 Mrs. Dinner. I found the knife
 in cleaning the hall. I brought
 it in the kitchen. Julia Keese took
 it. Knife shown witness. There
 are 2 more white handled ~~knives~~ knives
 in the house but are not broken. The knife
 I found was broken. The knife shown
 looks like the knife I found.

her
 Annie X Stanton
 mark

Taken before me

this 21st day of January 1889

Louis. W. Schuly

CORONER.

0826

Coroner's Office.

TESTIMONY.

521
 Martin Brennan Kinghorn
 says I went at 429 N 18th
 three days after the occurrence
 I visited Moore at the hospital, he
 was very weak & suffering pain
 I asked him had he been acquainted
 with Burke before the stabbing
 He said he saw him once or
 twice before - I asked him how
 the occurred - he said He met on
 the avenue went into a liquor
 store & had a drink - but had some
 words - came to blows - he said I
 guess he got the worst of it - I went
 to the home - I was there about
 10 minutes when Burke came in
 there was blood on his face -
 His sister asked him how he came
 to have blood on his face - He said
 Moore did it - at that time he raised
 the knife & struck at him Iwarded
 off the blow - he followed him
 closely with the 2d blow & then he
 found he was stabbed - He said
 he did not know how seriously
 he was stabbed & went for a
 physician - He walked out
 on the sidewalk & fell, that was all

Taken before me

this

day of

188

CORONER.

0027

Coroner's Office.

TESTIMONY.

12-

I know

They had been in Clark's Saloon
on 7 Ave. Deceased was
my nephew

Martin Brennan

Taken before me

this 21 day of January 1889

Louis To Schuyler

CORONER.

0828

Coroner's Office.

TESTIMONY.

13

Mrs. Mahoney being sworn dep. Clin
at 121-9 am - I am aunt of
Michael Moore -

I was with Michael Moore when he died
at the Hospital. ~~He said~~ - He said
I thought I would see you later
on Christmas night but Burke
stabbed me - he put the knife through
me.

Mrs. X Mahoney,
witness.

Taken before me

this 21 day of January 1889

Lucas W. Schulz

CORONER.

0830

Coroner's Office.

TESTIMONY.

Detective Kelly swears up.
The statement was made by
Burke & Co. in the presence of
Mr. Egan & was without over
solicitation.

James Kelly

Taken before me

this 27th day of Jan'y 1889

Louis W. Schuly

CORONER.

0031

Court of General Sessions

The People
vs.
John Burke

Indictment:

Murder 1st degree
§ 133 G. C.

for having on the 25th of December,
1888, caused the death of Michael
Moore, by stabbing him in the
abdomen on the 25th of Dec. 1888.

Trial Witnesses.

Philbrick

Julia Keyes

40 West 19th Street

Louis B. Rinnose

40 West 19th "

William Deacher,

19th precinct

Frank M. Ewanhoe

Officer Vally

Central Office

Autopsy statement
and death

0032

Mary Mahoney
620 Ninth Avenue.

Dr. Helborn

N. Y. Hospital

absent in Europe

0033

Louis D. Birney, 40 West 17 Street.
 On Christmas night, 1888, I had three
 female servants, to wit: Mary Burke,
 the sister of the defendant, Julia
 Keyes, a cousin of the deceased,
 and Annie Kerr, the wife of the
 defendant. At said time, while we
 were in the dining room, we heard
 a noise in the kitchen down-
 stairs. My son-in-law, Mr. Phyllis
 W. Warren, my son and myself
 went downstairs. When I came
 to the kitchen, I saw Mary Burke with
 blood specks in her face. The deceased
 was ordered out of the house ^{by my son-in-law} while
 the defendant still remained.
 Julia Keyes accompanied him
 to the sidewalk. She swooned
 at the gate, and told us after-
 wards that the deceased had
 been stabbed by the defendant.
 Mary Burke told us that a knife
 had been used and that in trying
 to take it away from Burke,
 the defendant, her hand was cut.
 It was a black handled knife. The
 cook had told the officer who called
 at the house, that she had washed

0034

the knife and put it away
with the others.

Julia Reyes, 40 West 19 Street
was in the employ of Mr. Briscoe.
The deceased was a distant re-
lative of mine. He called upon
me at about a quarter to seven
o'clock in the morning, but I
told him that I had no time
to see him just then. Burke
was there talking with Jimmie
Herr, his wife. The deceased
went out and did not see
him again, until about half
past eight o'clock, when, being in
the dining room, I heard a
noise in the kitchen. I went
the deceased in the hall. He
was about going out. He told
me that he had been stabbed,
and when I ~~told~~^{asked} him who did
it, he said, by Burke. I there-
upon went into the kitchen and
there I saw Burke sitting upon
a chair & his sister standing
over him wiping the blood
off his face with a towel.

0835

I then let the deceased out through the basement door, and on the side walk he again said to me that he had been stabbed by Burke. This statement affected me so much that I swooned at the gate. After my recovery, I went upstairs. Before the police officers came, I asked the defendant's sister, how the stabbing was brought about. She replied that she did not know, but that her finger was cut when she tried to take the knife away from her brother. That the deceased had come in first and had told her that he and her brother had had some words outside. That a few minutes afterwards her brother had come in. There he stopped and refused to say anything more. She said that the knife used was a black handled knife. It was afterwards found by Miss Pantor under the basement stairs. It has a white handle. It was full of blood.

0036

and had its top broken off.
I have seen the said knife
used on said day by the
defendant's sister.

Mary Mahoney, 121 North Avenue,
The deceased was my nephew. I
~~was present at the hospital~~. I visited
him in the hospital and was present
when he died. Several days before his
death he told me that he knew he
could not recover, and in reply to my
question who had stabbed him, he
said that Burke, the defendant had
put the knife through him.

William Deacher, patrolman,
19th precinct. About 8.15 on
Christmas night, when I was on
duty in West 19th Street, between
Fifth and Seventh Avenues, I heard
the rap of a club, given by officer
Reigan. I found him with the
deceased, who was lying on the
side walk, in front of No. 68 West
19th Street. Reigan told me, that
he had sent for an ambulance.
The deceased was taken to the N.Y.

0837

Hospital. He told me that a man by the name of Burke had stabbed him with a table knife at 40 West 19th Street; After having reported the case at the Station House, I went to No 40 West 19th Street and searched through the basement for the knife with which the deceased had been stabbed. I could not find it. The defendant's sister had left the said house, but she came back, while I was there, to get her clothes. I arrested her and took her to the Station House. The next morning she was discharged by the Police Magistrate. He told me that her brother and the deceased had had a wrangle and that her brother had used a knife, and that when she grabbed for the same, her ^{left} hand was cut. I found a towel and an apron in a wash tub ~~containing~~ ^{filled with} about six inches of water, mixed with blood. Defendant's sister told me that she had washed the knife and put it away with other knives. The deceased told me that the defendant stabbed him

0030

His pants were open and bloody. He refused to tell me anything about the nature of the quarrel he had with the defendant. Defendant's sister, the said cook, told me that she was out in attempting to take the knife from the defendant.

Thomas F. Hays, Detective, 19th precinct. On Christmas night, 1888, I arrested a man who answered ~~to~~ the description of the defendant, but when confronted with the deceased at the Hospital, he turned out to be the wrong man. The deceased would not tell me anything about the quarrel he had had with the defendant. The defendant's sister told me that her brother picked up a knife from the table, while he was quarreling with the deceased. He pretended not to know what became of the said knife.

Frank M. Evans, Detective, Central Office. The defendant was arrested by me and Detective

0839

Nelly in a room in the corner of Adams and Lafayette Street, Newark. We cautioned the defendant not to say anything about his trouble. Notwithstanding our admonition he stated to us on an Elevated Railroad train, that he had some trouble with Moon in a saloon and that afterward, in the basement of No. 40 West 19th Street, the deceased knocked him down. In reply to my question whether he stabbed him, he said, that he did not know anything about it. When the time came, he would tell it all. When we arrested him on the 10th of January 1889. He had no marks of violence upon himself.

0040

COURT OF GENERAL SESSIONS.

THE PEOPLE & c.

vs,

John Parake

BRIEF OF FACTS.

For the District Attorney.

Dated October 23 1888.

Edward Rogers

Deputy Assistant.

0041

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question—What is your name?

Answer—

John Burke

Question—How old are you?

Answer—

22 years

Question—Where were you born?

Answer—

Ireland

Question—Where do you live?

Answer—

Newark N.J.

Question—What is your occupation?

Answer—

Laborer

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

*By advice of Counsel I am
not guilty*

Wm. Brewster

Taken before me, this *21st* day of *January* 188*9*

Louis To Schuyler

CORONER.

0842

MEMORANDUM.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
28 Years.	Months	Days.	Ireland	N.Y. Hospital	Jan'y 1/89

1st Quarter 5 1889
HOMICIDE.

AN INQUISITION 118⁸⁹

On the VIEW of the BODY of

Michael Moore

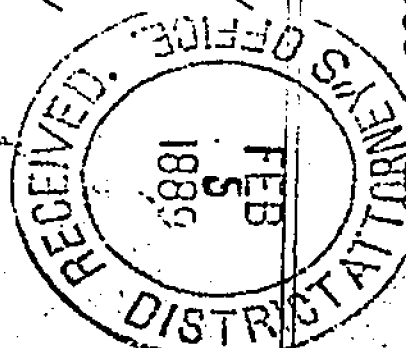
whereby it is found that he came to
his Death by the hands of

John Burke

Coroner taken on the 21st day
of January 1889

before David W. Schultz
Coroner.

Committed
Quitted
Discharged



State of death

0043

1st Quar 5 1889

HOMICIDE.

AN INQUISITION 1889

On the VIEW of the BODY of

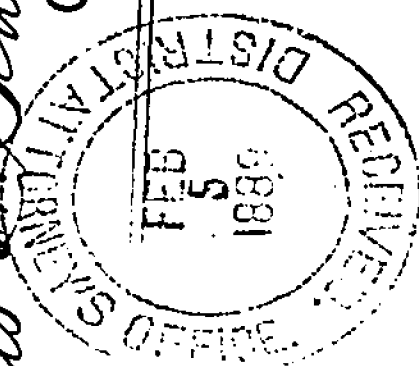
Michael Moore

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

John Burke

Inquest taken on the 21st day
of January 1889

before Louis W. Schultz
Coroner.



Committed

Build

Discharged

Date of death

MEMORANDUM.

AGE.		PLACE OF NATIVITY.	WHERE FOUND.	DATE When Reported.
Years.	Months Days.			
28		Ireland	mt. Coquette	Jan 1/89

0044

TESTIMONY.

William Jenkins M. D., being duly sworn, says:
I have made an examination of the body of
Michael Moore now lying dead at
my Hospital and from such examination
and history of the case, as per testimony, I am of opinion the cause of
death is *Penetrating stab wound of ventricles*
Perforation

W. Jenkins M. D.

Sworn to before me,

this

1st

day of

January 1889

Levi H. Schlegel

CORONER.

0845

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
28	Years	Months Days	Ireland	New York Hosp	July 1 st '88

July 1st '88
5 P.M. Outgoing at
New York Hospital
Kutwin
121-70-1000

A.M.S. 14-20-20
J.R.N. 012

No. 5

Let. 2000 1889

AN INQUISITION

On the VIEW of the BODY of

Michael Moore

whereby it is found that he came to
his death by

Inquest taken on the day

of Louis M. Schullage 188 before
JOHN R. NUGENT, Coroner.

0846

MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
-----	-------------------	-------------	--------------------

28 Years Months Days
Belmont Westmoreland Aug 1888

Aug 1888
5 Mrs. Autopsy of
New York Hospital
Franklin
Mrs. Maryway - 100
121-9th Ave

L.M.S.
J.R.N.
1889
1st. Quar.

No. 5

AN INQUISITION
On the VIEW of the BODY of

Michael Moore

whereby it is found that he came to
his death by

Inquest taken on the day
of *1889* before
Louis W. Schullge
JOHN R. NUGENT, Coroner.

0847

Dr. J. G. S. S.

From New York Hospital.

New York, Jan 9th 1889.

To Coroner Schultze

Sir:

Please hold an Inquest on the body of

Name: Michael Moore Residence: 507 West 25th St
Age: 28 years months days. Admitted Tues + day, Dec
Father Ire 25th 1889, at 8:12 o'clock P. M.
Nativity, Ire; of Ire By ambulance ^A
Mother Ire 6 months in U. S., 6 months in City. From 40 West 19th St ^B
Civil Bond: Single Occup.: Labour Examined by Dr. Buel
Suffering from symptoms of Stab Wound of abdomen ^C
with penetration of intestines

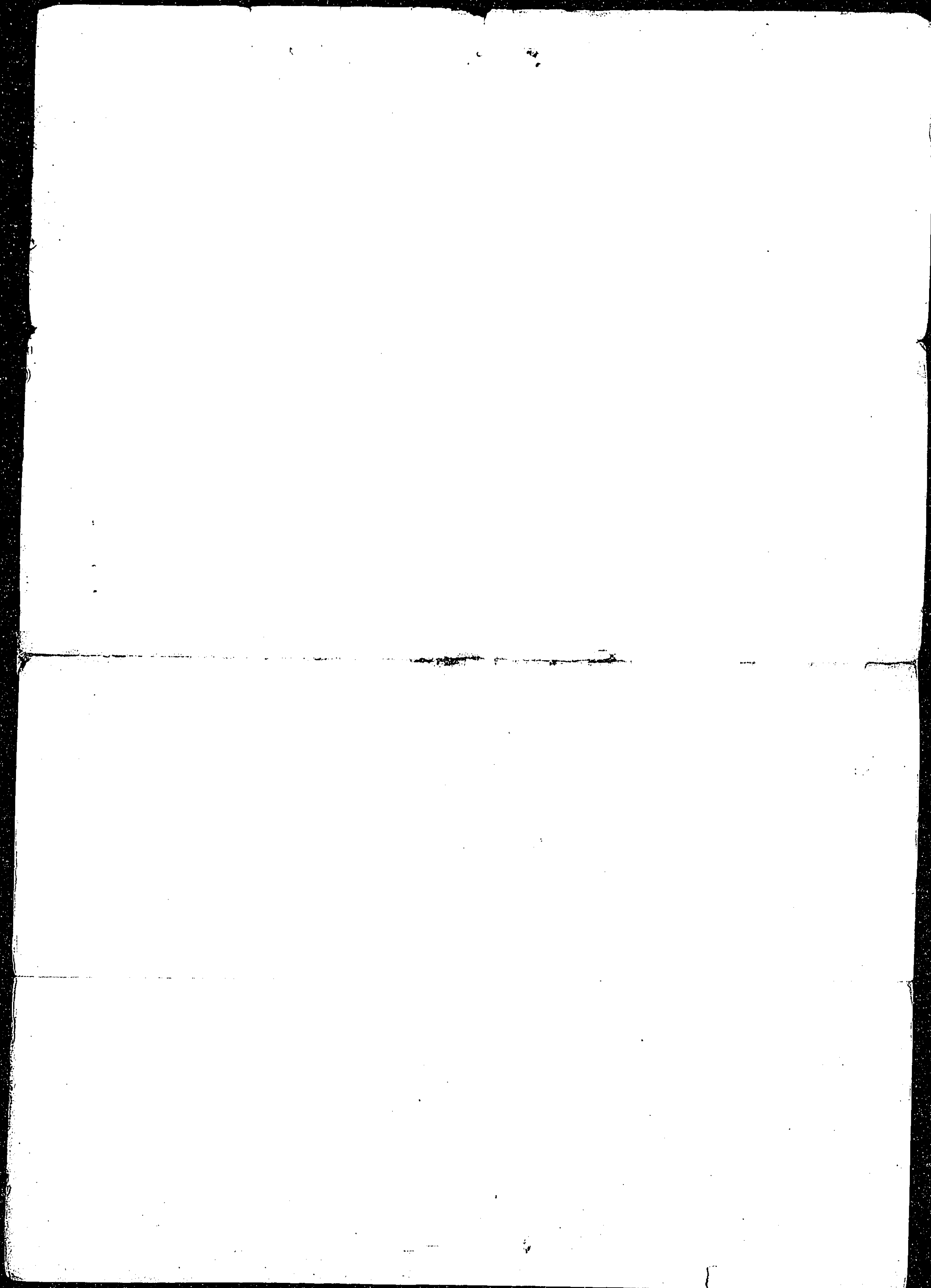
Said Injuries said to have been received Patient says he went to ^D
40 West 19th St to see his cousin Julia Keys and while there
he met a man by the name of Burke they went
out together and had several drinks On their way
back got engaged in a quarrel On entering the house
Burke seized a knife off the table and stabbed him
in the abdomen
Death took place Mon + day, Dec 31st 1889 at 10:50 o'clock P. M.
The Autopsy revealed Penetrating Stab Wound of ^F
intestine. Peritonitis.

Remarks: ^G

C. W. Sheldon M. D.
HOUSE SURGEON PHYSICIAN.

- Ad. +. State the day of the week.
Ad. A. State whether by Ambulance or Friends.
Ad. B. State whether from a Precinct or a Residence and give the name.
Ad. C. State whether from Natural Causes or from Shock (conscious or unconscious) due to Injuries, and if so, give name, place, date, number, character, and Extent of Injuries, always stating where indicated, whether right or left.
Ad. D. State when, where, how, by what means or persons received, also whether Accidental, Suicidal or Homicidal; in falls, the distance, location and place; in Burns and Scalds the circumstances attending the same; in runover cases, the line of Street Car, Railroad or Conveyance; in Weapons, the character of the same, &c., &c., always giving such information as will lead to an accurate knowledge of the case and facilitate judicial inquiry and justice.
Ad. E. State name, date, place, character and results of any operation or amputation performed.
Ad. F. Give a short resume of the Autopsy with the Pathological Diagnosis and the Cause of Death at the End.
Ad. G. State here any important facts not embodied in the above statements.

0048



0849

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

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

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

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

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

0850

J. M. Patterson

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street

*Adj'd to Jany. 17/89
at 2 1/2 P. M.
Adj'd. until the
termination of Census
inquest*

Police Court---

2

118

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James J. Vallely

vs.

John Barker

2

3

4

Homicide

Dated

January 12

1889

Patterson

Magistrate

William J. Dwyer

Officer

C. O. Dwyer

Precinct.

Witnesses

Thos J. Hayes

No. *19*

Street.

100 W. M. Sheldon

No. *100*

Street.

John A. Dwyer

No. *100*

Street.

Ed. J. Dwyer

2 1/2 P. M.

15

0851

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

11 Oct 1887.

Dear Col.

Two of the Central office
detectives, who covered up the
case against John Burke,
indicted for murder, committed
Dec 24, 1888, have called
to notify this ^{office} ~~evening~~ that
the two principal witnesses
for the People are about
to leave for Europe, one
of whom will be absent
for 2 years, the other may
never return.

The witnesses are:

Mr Binse 40 W 19th St

Julia ^{and} Reyes 40 W 19th St.

The Central office Thinks

0052

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

188.

The trial should be expedited
or steps taken to secure the
attendance of the witnesses.
The witnesses leave on or ^{about}
the 15th November 1887.

I shall be apt to be working
on the Flaen Case and
can be reached either at
my Rooms, 129 E 23rd St
or at the Bar Assn

Very Truly Yrs
McKenzie Simble

Hon John R. Fellows,
District Atty:

0853

CITY AND COUNTY
OF NEW YORK,

ss.

POLICE COURT,

2 DISTRICT.

of No. James J. Vally
300 Mulberry Street, aged 34 years,
occupation Detective Officer being duly sworn deposes and says
that on the 10th day of January 1889

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

John Burke, now here, charged with
having wilfully stabbed one Michael
Moore on the 25 day of December
1888, at said City and County, from
the effects of which stabbing the said
Michael Moore died at the New
York Hospital on the 31st of December 1888.
That Dr. Sheldon now here informs
deponent that said Moore died from
the effects of a stab wound in the
abdomen and perforating the intestines.

Sworn to before me this

10th

1889

Police Justice

0854

Police Court-- District.

THE PEOPLE, & C.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated.....188

Magistrate.

Officer.

Witness,

Disposition,

That deponent is further informed by Officer
Hays that the deceased Fred (son),
Fred Hays, that the prisoner John
Barker, now here, stabbed him in
prison No. 14 at 19th Street on the
night of the 25th of December last.
Sworn & begun me this James H. Valley
12th day of January 1889

Sworn & begun me this

12th day of January 1889

James H. Valley

Notary Public
St. Louis

0855

CITY AND COUNTY }
OF NEW YORK, } ss.

Clarence Wellington Sheldon
M. No. aged *24* years, occupation *Physician* of No.

New York Hospital Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *James D. Parley*

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

Sworn to before me, this *12th*
day of *January* 188*8*

Clarence Wellington Sheldon

Wm. Patterson

Police Justice.

0856

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 32 years, occupation Police officer of No. 19 Macin Police Street, being duly sworn deposes and

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

Sworn to before me, this 12
day of January 1888 }

Thomas J. Hayes

John C. Cullen

Police Justice.

0857

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

of No. *300 Mulberry* Street, aged *34* years,
occupation *Detective Officer* being duly sworn deposes and says
that on the *21st* day of *January* 188*9*
at the City of New York, in the County of New York

John Burke, named in
the annexed affidavit of
deponent, was fully committed
by Coroner Schutt to answer
the charges of Homicide in
causing the death of Michael
Moran by a stab wound.

James J. Valley

Sworn to before me, this

22nd day

of

188*9*

John J. O'Brien

Police Justice.

0050

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 Budge

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

John Budge

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

The said *John Budge*,

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

Michael Moore,

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

Michael Moore,

the said *John Budge* with a certain *knife*
which *he* the said *John Budge* in
his right hand then and there had and held, in and upon the *breast*
of *him* the said *Michael Moore*.

then and there wilfully, feloniously, and of *his* malice aforethought did strike,
stab, cut and wound, giving unto *him* the said *Michael Moore*
then and there with the *knife* aforesaid, in and upon the *breast*
of *him* the said *Michael Moore*
one mortal wound of the breadth of one inch, and of the depth of six inches, of which said

0059

mortal wound *he* the said *Michael Moore* —
at the City and County aforesaid, from the day first aforesaid, in the year aforesaid, until the
thirtieth day of *December*, in the same year
aforesaid, did languish, and languishing did live, and on which said *thirtieth*
day of *December*, in the year aforesaid, *he* the said
Michael Moore, at the City and County aforesaid,
of the said mortal wound did die.

And so the Grand Jury aforesaid do say: That the said *John*
Budde, Junr —
the said *Michael Moore*, in the manner and form, and by
the means aforesaid, wilfully, feloniously, and of *his* malice aforethought, did kill,
and murder, against the form of the Statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
— *John Budde* —
of the same CRIME OF MURDER IN THE FIRST DEGREE, committed as follows:

The said *John Budde*, —

late of the City and County aforesaid, afterwards, to wit: on the said *thirtieth*
day of *December*, in the year of our Lord one thousand eight hundred
and eighty-*eight*, at the City and County aforesaid, with force and arms, in and
upon the said *Michael Moore*: —

in the peace of the said People then and there being, wilfully, feloniously, and with
a deliberate and premeditated design to effect the death of *him* the said
Michael Moore, did make another assault, and
the said *John Budde, Junr* — the said
Michael Moore, with a certain *knife* —
which *he* the said *John Budde* in

0060

John right hand then and there had and held, in and upon the *Adamson*
of *John* — the said *Michael Moore*,
then and there wilfully, feloniously, and with a deliberate and premeditated design to effect
the death of *him* the said *Michael Moore*, did strike, stab, cut and
wound, giving unto *him* the said *Michael Moore*, then
and there, with the *knife* aforesaid, in and upon the *Adamson*
of *John* — the said *Michael Moore*,
one mortal wound of the breadth of one inch and of the depth of six inches, of which said
mortal wound *he* the said *Michael Moore*, at
the City and County aforesaid, from the said *twenty-fifth* day of *December*,
in the year aforesaid, until the *thirty-first* day of *December*, in the
same year aforesaid, did languish, and languishing did live, and on which said
thirty-first day of *December*, in the year aforesaid, *he*
the said *Michael Moore*, at the City and County
aforesaid, of the said mortal wound did die.

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

JOHN R. FELLOWS,

District Attorney.

0861

BOX:

340

FOLDER:

3217

DESCRIPTION:

Buscher, William

DATE:

02/15/89



3217

0062

WITNESSES:

W. Alfred J. Reed,

Counsel,

Filed

day of

1889

Pleads

Not guilty

THE PEOPLE,

vs.

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1083, Sec. 21 and
page 1089, Sec. 5.]

William Buscher

2395 3rd St

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman.

I.

Imputed Wagon/89

Page III

0863

Excise Violation—Selling on Sunday.

POLICE COURT—

5 DISTRICT.

City and County } ss.
of New York,

I, Alfred J. Reid
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 29th day
of January 1889 in the City of New York, in the County of New York, at
premises No. 1239 1/2 3rd Avenue Street,

William Buscher (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 William Buscher
may be arrested and dealt with according to law.

Sworn to before me, this 29th day
of January 1889
John W. White Police Justice.

Alfred J. Reid

0064

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

William Buscher being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is *h* right to
make a statement in relation to the charge against *h* that the statement is designed to
enable *h* *ur* if he see fit to answer the charge and explain the facts alleged against *h* *ur*
that he is at liberty to waive making a statement, and that *h* *5* waiver cannot be used
against *h* *ur* on the trial.

Question. What is your name?

Answer. *William Buscher*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *MA*

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

Answer. *230 E. 4th Ave. 5 mos.*

Question. What is your business or profession?

Answer. *Barkeeper*

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

Answer. *I am not guilty and*
I held demand a trial by
jury

William Buscher

Taken before me this

day of

Police Justice.

0865

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

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

Dated January 29 1889 A. J. White Police Justice.

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

Dated Jan 28 1889 A. J. White 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.

0866

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

169 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Alfred L. Reid
vs.
William Busche

1
2
3
4

Offence

Dated

Jan 28 1889

Magistrate.

Officer.

29 Precinct.

Witnesses

No.

Street.

No.

Street.

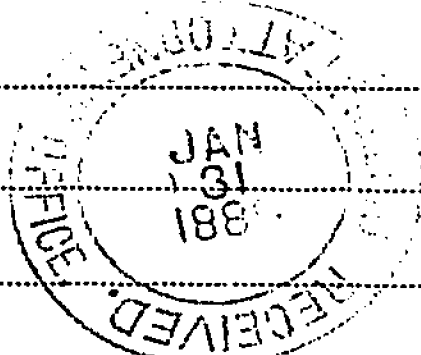
No.

Street.

\$

to answer

Bailed



0867

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William Buscher

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

William Buscher
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

William Buscher

late of the City of New York, in the County of New York aforesaid, on the *twenty-seventh* day of *January* in the year of our Lord one thousand eight hundred and *eighty-nine*, 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

Alfred J. Reid

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

William Buscher
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

William Buscher

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,

District Attorney.

0060

BOX:

340

FOLDER:

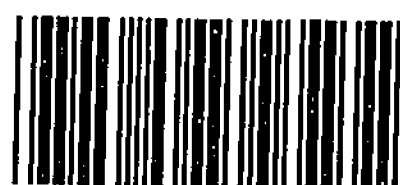
3217

DESCRIPTION:

Byrne, Peter

DATE:

02/28/89



3217

Witnesses

Arthur
Harwick

Counsel,

Filed

Pleads,

29th day of July 1889

THE PEOPLE

vs.

Peter Byrne

Jan 19 90

VIOLATION OF EXCISE LAW.
(Keeping Open at Unlawful Hours.)
[III Rev. Stat. (7th Edition), page 1989, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

John R. Fellows

Foreman.

[Signature]

0069

0070

C. J. MUSGRAVE, M. D.
111 HENRY STREET,
NEW YORK.

OFFICE HOURS: { UNTIL 10 A. M.
2 TO 3 P. M.
7 TO 8 P. M.

Feb 25 *Hy*

This is to certify that
I am attending Peter
Byrne 122 Cherry St.
for 'burn on the face
resulting from gas
explosion & he is not
yet entirely recovered.

C. J. Musgrave
M.D.

0071

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Peter Byrne

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

Peter Byrne

of the crime of KEEPING OPEN, BETWEEN THE HOURS OF ONE AND FIVE O'CLOCK IN THE MORNING, a place licensed for the sale of strong and spirituous liquors, wines, ale and beer, committed as follows:

The said

Peter Byrne

late of the City of New York, in the County of New York aforesaid, on the *twenty-first* day of *January* in the year of our Lord one thousand eight hundred and eighty-*nine*, 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 between the hours of one and five o'clock in the morning of the said day, and between the said hours of the said day, to wit: at the hour of *two* o'clock in the morning of the said day, the said place so licensed as aforesaid unlawfully did then and there open and cause and procure, and suffer and permit, at the time aforesaid 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,

District Attorney.

0072

**END OF
BOX**