

0009

BOX:

214

FOLDER:

2117

DESCRIPTION:

Brady, William

DATE:

04/28/86



2117

No. 737

Witnesses:

Walter Ferguson
Thos. D. D.

Counsel,
Filed *28* (la. Cal. April 1886)
Pleads, *And says by*

THE PEOPLE
vs. *R*
William Brady
W. H. Bunker

Grand Larceny, 1st Degree.
(From the Person.)
[Sections 528, 530, 531 Penal Code]

RANDOLPH B. MARTINE,
Tr May 6/86 District Attorney.
Filed & Entered at 11:45-9/11/86

A True Bill.

J. H. Brown

Foreman.

Thos 2

Thursday May 6/86
J. H. Brown

POOR QUALITY ORIGINAL

00111

Police Court / District.

Affidavit—Larceny.

City and County }
of New York, } ss.

John Heckenburg
of No. 97 Jefferson St. Hoboken N.J. Employed N.E. Con Ave 73rd 8th St
occupation Watchman, aged 55 years, being duly sworn

deposes and says, that on the 19 day of April 1886 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession and person ^{night} of deponent, in the ~~day~~ time, the following property viz :

One silver watch with chain and charm attached of the value of Fifteen 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 William Brady (now true)

That deponent was walking across the City Hall Park in said City when said deponent pushed against him and caught hold of the chain which was attached to said watch and took the same from the pocket of the vest then and there worn by him when Officer William Beatty an officer attached to the 3rd Precinct Police came along and arrested said deponent

John Heckenburg

Sworn to before me, this

20

day

of April 1886

Samuel R. Hall Police Justice.

POOR QUALITY ORIGINAL

00 12

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

William Brady 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

William Brady

Question. How old are you?

Answer

24 years

Question. Where were you born?

Answer.

New York

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

Answer.

56 Bleecker 2 weeks

Question. What is your business or profession?

Answer

Laborer

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

his
William X Brady
marks

Taken before me this

day of

Sept

188

Police Justice.

POOR QUALITY ORIGINAL

0013

BAILED,

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Police Court 1 District.

THE PEOPLE, &c,
ON THE COMPLAINT OF

John Heckerling
13 - 2nd Ave
of the City

1 William Brady



Dated April 20 1886

H. O. Kelly Magistrate

William Beatty Officer

3rd Precinct

Witnesses William Beatty
David Freund

Street

~~Not by Complaint
at Smith's Restaurant~~

~~No. 3 Cor Ave 73 St 11 St~~

~~No. 518 - 7 Ave
\$5.00 to driver~~

mm

Offence Larceny from the
person in the night
Time

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 15 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 Apr 20 1886 Sam'l O'Connell Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY ORIGINAL

0014

STENOGRAPHERS' MINUTES.

Result of Criminal Session - 1, 2

BEFORE

The People vs.

against

William Brady, indicted

for Grand Larceny in the 1st degree

Hon. Frederick Smyth

Recorder and a jury

May 5th 1886

WITNESSES.

DIRECT.

CROSS.

RE-DIRECT.

RE-CROSS.

**POOR QUALITY
ORIGINAL**

0015

1

Court of General Sessions, Part 2.

THE PEOPLE &c.)
- agst. -) Before Hon. Frederick Smyth,
William Brady, Indicted for) Recorder and a Jury.
Grand Larceny in the First) -----000-----
Degree.)

Tried, May 5th, 1886.

APPEARANCES.

Assistant District Attorney John R. Fellows, for the People;
Mr. Suydam, for the Defence:

-----000-----

JOHN HECKENBURGH, the complainant, testified that he
kived at Hoboken, New Jersey. On the 19th of April, 1886,
he was employed as a watchman in 84th Street, New York City,
by Mr. Smith. Between 7 and 8 o'clock, in the evening of
the 19th of April, he came down from 84th Street by the ele-
vated railroad to the City Hall station. He had a silver
watch and chain on his person worth between 20 and 30 dol-
lars. The prisoner jumped towards him and put his hands

**POOR QUALITY
ORIGINAL**

00 15

2

into his vest pocket. He, the complainant, threw his arms around the prisoner and held him until the policeman came.

The prisoner broke his watch-chain. The prisoner did not have the chain in his hands after it was broken. It was in the City Hall Park that the prisoner attacked him.

-----000-----

JOHN MCKEE testified that he was employed by Dodd's Transfer and Express Company, and that he drove a United States wagon. He saw a scuffle between the complainant and the defendant and saw officer Beatty run to the assistance of the complainant.

-----000-----

OFFICER WILLIAM BEATTY of the 3rd Precinct, being duly sworn, testified that he saw a scuffle between the complainant and the defendant in Mail Street, near Broadway, and arrested the defendant. He saw the prisoner run up to the complainant and then there was a scuffle. The complainant's watch was broken.

-----000-----

For the defence, William Brady, the defendant, testified that he had never been in any trouble, but once before

**POOR QUALITY
ORIGINAL**

0017

3

A man accused him once before of "bumping" up against him over at the Sun office. There were three or four hundred people around at the time. He, the defendant, was discharged. He had never been convicted of any offence. On the evening of the 19th, of May, he was on his way down town to see a brother of his who worked on the 6th Avenue Road. There was a mail wagon in Mail Street, and accidentally he, the prisoner, in going around the wagon, "bunked" up against the complainant and the police officer came right up and grabbed him. He, the defendant, did not touch the complainant's watch and chain, and did not attempt to rob him.

-----000)-----

Under cross examination the defendant testified that his true name was William Ayres, and that he was a laborer and generally worked on the banana boats. He had worked for Mr. Horten. He had been arrested once for drunkenness and three times upon the charge of stealing. He had been acquitted twice before.

-----000-----

In rebuttal Mr. McKee being recalled, testified that he had often seen the defendant in front of the New York Museum at 210 Rowery, from 1 o'clock in the afternoon to 10 o'clock at night, perhaps half a dozen times a day. Whenever

**POOR QUALITY
ORIGINAL**

0018

he saw him, the witness, the defendant would go away.

-----000-----

**POOR QUALITY
ORIGINAL**

00 19

Indictment filed May/86

County General Session ^{On}

The People vs
against

William Grady -

STENOGRAPHERS' TRANSCRIPT.

May 5th 1886

0020

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 Brady

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

William Brady

of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

William Brady

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *nineteenth* day of *April*, in the year of our Lord one thousand eight hundred and eighty-*six*, in the *night* time of the said day, at the Ward, City and County aforesaid, with force and arms,

one watch of the value of ten dollars, one chain of the value of three dollars, and one pair of the value of two dollars.

of the goods, chattels and personal property of one *John Wedderburn* on the person of the said *John Wedderburn*, then and there being found, from the person of the said *John Wedderburn*, 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.

Randolph Comstock,
District Attorney.

0021

BOX:

214

FOLDER:

2117

DESCRIPTION:

Brainard, Thomas

DATE:

04/16/86



2117

0022

BOX:

214

FOLDER:

2117

DESCRIPTION:

Donohue, Patrick

DATE:

04/16/86



2117

POOR QUALITY ORIGINAL

0023

No. 113 C. C. 100

Counsel,
Filed 16 day of April 1886
Plead Chiquetry.

THE PEOPLE
vs.
Thomas B. Brand
and
Patrick Donohue

RANDOLPH B. MARTINE,

Mr. No. 1 of District Court
to the Court
to be
A True Bill
as per
J. B. [Signature]

Foreman

[Signature]
[Signature]
[Signature]
[Signature]

Witnesses

W. F. Brown
Michael J. McKinley - Officer
No 2. Duil Comets
of the [Signature]

[Sections 498]

Burglary in the 1st Degree.

0024

Police Court— 4 District.

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

George Y. Brown
of No. 341 West 56 Street, aged 48 years,
occupation Expert Agent being duly sworn

deposes and says, that the premises No. 341 West 56 Street, 22 Ward
in the City and County aforesaid the said being a dwelling house

and which was occupied by deponent as a dwelling
and in which there was at the time a human being, by name Carrie Bruner

attempted to be
were BURGLARIOUSLY entered by means of forcibly breaking
open the fastenings of a front
parlor window

on the 10th day of April 1886 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

14
pieces of furniture of the full value of
One Thousand Dollars

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

Thomas Brainerd and Patrick Donohue

for the reasons following, to wit: that deponent is informed
by Officer Michael J. McGuirey of the
22nd Precinct Police that upon said
date he saw two persons loitering
about said premises and that said
Brainerd was standing upon the sill
of said window and endeavoring to
break said window catch and that
he McGuirey then arrested said

0025

Prained, and was afterwards
informed by said Bramert that
said Woodhew was his companion
and had induced him to attempt
said burglary

George J. Brown

Sworn to before me
this 11th day of April 1886

Andrew J. Smith
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 1886
Police Justice

I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1886
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 1886
Police Justice

Police Court, _____ District, _____

THE PEOPLE, &c.,
on the complaint of _____

vs.

1 _____
2 _____
3 _____
4 _____

Offence—BURGLARY.

Dated _____ 1886

Magistrate.

Officer.

Clerk.

Witnesses, _____
No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

§ _____ to answer General Sessions.

0026

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Patrick Donohue 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. Patrick Donohue

Question. How old are you?

Answer. 20 years

Question. Where were you born?

Answer. US

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

Answer. 509 W 42. Street

Question. What is your business or profession?

Answer. Rather

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

Patrick Donohue

Taken before me this

day of

1888

John S. Smith

Police Justice.

0027

Sec. 198-200.

H District Police Court.

CITY AND COUNTY {
OF NEW YORK, } SS

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

Question What is your name?

Answer Thomas Brainard

Question. How old are you?

Answer 21 years

Question. Where were you born?

Answer. MS

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

Answer. 433 W 39. 3 weeks

Question What is your business or profession?

Answer Expressman

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 Brainard

Taken before me this

day of

1888

John J. [Signature]

Police Justice.

POOR QUALITY ORIGINAL

0028

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

Police Court District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James F. Brown

James F. Brown
341 5th St

Offence *Attempt Burglary*

Dated *April 11* 188

James F. Brown Magistrate

James F. Brown Precinct

Witnesses *Patrick Mc...*

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

\$ *1500* to answer *James F. Brown* Street _____

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *1500* 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 *April 11* 188 *Andrew J. White* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY ORIGINAL

00279

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael J. McGinley

aged _____ years, occupation *Policeman* of No. _____

The 22 Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *George F. Brown*

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

Sworn to before me, this *11* day of *April* 183*8*

Michael J. McGinley

Andrew Smith
Police Justice.

POOR QUALITY ORIGINAL

0030

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 Brainard and
Cataldo Donduca

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

Thomas Brainard and Cataldo Donduca
of the crime of attempting to commit -
of the CRIME OF BURGLARY IN THE SECOND DEGREE, committed as follows:

The said Thomas Brainard, and
Cataldo Donduca, each -

late of the Twenty-second Ward of the City of New York, in the County of New York
aforesaid, on the - fourth - day of April - , in the year
of our Lord one thousand eight hundred and eighty-six, with force and arms, about the
hour of twelve o'clock in the night time of the same day, at the Ward,
City and County aforesaid, the dwelling house of one

Figoras B. Brown, -

there situate, feloniously and burglariously did break into and enter, there being then and there some
human being, to wit: one Ramie Brown, -

within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels
and personal property of the said Figoras B. Brown, -

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

Thomas Brainard and Cataldo

Donduca being then and there assisted

by a confederate actually present

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,

Handwritten signature, District Attorney

0031

BOX:

214

FOLDER:

2117

DESCRIPTION:

Brennan, James

DATE:

04/26/86



2117

POOR QUALITY ORIGINAL

0032

No 203

RAB

Counsel,
Filed 26 day of April 1886
Pleas, *Not guilty*

THE PEOPLE
vs.
James B. Martine
Grand Larceny, Degree.
(From the Person.)
[Sections 528, 531, Penal Code.]

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

J. M. Bacon
April 27/86. Foreman.
W. S. [unclear]
Wm. D. [unclear]

Witness:
Carri E. [unclear]

I have carefully examined within case and am satisfied that deft is a young man of respectable parents and that he never before ~~was~~ arrested for any offence and respectfully recommend to the Court that sentence be suspended.
A. 4 April 27/86
Randolph B. Martine
District Attorney

POOR QUALITY ORIGINAL

0033

Police Court— 1st District.

Affidavit—Larceny.

City and County of New York, } ss.

of No. 141 East 12th Street, aged 13 years, occupation Read-writer being duly sworn

deposes and says, that on the 14th day of April 1886 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 daytime, the following property viz :

A paper-bag containing food and lawful money of the United States consisting of three five-cent pieces of the amount of value of Fifteen Cents
the property of Deponent's parents and in deponent's care and custody

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by James P. ... for the reasons following to wit: the said paper-bag was in the left pocket of the sack then worn by deponent as a portion of her bodily clothing and having misseen said property as she was standing in a crowd on Fourteenth Street is informed by Charles B. Mc Manus an officer attached to the Central Office that he Mc Manus saw the said deponent in said crowd pressing against the deponent

Subscribed and sworn to before me this 15th day of April 1886 at the City of New York.
Police Justice

POOR QUALITY
ORIGINAL

0034

and immediately after leaving
the side of the said defendant
seizen hold of defendant's rights
and in it found the said
property.

Therefore defendant
charges the said defendant
with taking stealing and carry-
ing away the aforesaid property
from her possession and person.

Sum to before me

This 14th day of April
1886 Jane Cousin

Henry Murray Justice

POOR QUALITY ORIGINAL

0035

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles B. McManus

aged 29 years, occupation Police Officer of No.

Central Office Street, being duly sworn deposes and

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

Sworn to before me, this 14
day of April 1885 } Charles B. McManus

Henry Munnicey
Police Justice.

0036

15th

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

James Brennan 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 *James Brennan*

Question. How old are you?

Answer *20 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *268 South Avenue 3 months*

Question What is your business or profession?

Answer *Mill hand*

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 guilty of the charge
James Brennan*

Taken before me this

day of *April* 188*8*

John J. [Signature]

Police Justice.

POOR QUALITY ORIGINAL

0037

BAILED,

No. 1, by _____
 Residence _____
 Street _____

No. 2, by _____
 Residence _____
 Street _____

No. 3, by _____
 Residence _____
 Street _____

No. 4, by _____
 Residence _____
 Street _____

Police Court - 15th - 52nd District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Levie Sherman

141 1st St. 13th



Offence Larceny from the person

Dated April 14th 1886

Magistrate

Chief of Police

precinct

Witnesses

Officer McManus
Central Office

No. _____
Street _____

No. _____
Street _____

\$ 1000 to answer

G. J. Cornell

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 James Sherman

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 April 14th 1886

George J. ... Police Justice.

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

Dated _____ 1886 _____ 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 _____ 1886 _____ Police Justice.

POOR QUALITY ORIGINAL

0038

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 Brennan

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

James Brennan

of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows :

The said *James Brennan*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *fourteenth* day of *April*, - in the year of our Lord one thousand eight hundred and eighty-*five*, in the *day* time of the said day, at the Ward, City and County aforesaid, with force and arms,

one pocket watch of the value of ten cents, and three metal coins of the United States, of the kind called five cent pieces, of the value of five cents each.

of the goods, chattels and personal property of one *Carrie Brennan*, on the person of the said *Carrie Brennan*, - then and there being found, from the person of the said *Carrie Brennan*, - 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.

Rudolph B. Martin,
S. B. ...

0039

BOX:

214

FOLDER:

2117

DESCRIPTION:

Brooks, George

DATE:

04/12/86



2117

POOR QUALITY ORIGINAL

0040

No. 58-

Counsel,
Filed *R. A. Paul* 1886

Pleads,

THE PEOPLE

vs.
Henry

George Brooks

Sections 498, 506, 514, 528 & 531

RANDOLPH B. MARTINE,
District Attorney.

22 Apr 1886
Filed at 10:30 AM

A True Bill.

J. N. Brown

Foreman

Paul Meyer

Witnesses

Louis A Davis
Emma Ratch
Martin Handy Scept



POOR QUALITY ORIGINAL

0041

Police Court First District.

City and County } ss.:
of New York,

of No. 491 Broadway Street, aged 34 years,
occupation merchaut being duly sworn

deposes and says, that the premises No 491 Broadway Street,
in the City and County aforesaid, the said being a three story granite building
used and occupied as a loft for business purposes
and which was occupied by deponent ^{in part} as a manufacturing of clothing
and in which there was at the time ^{no} human being, by name

were **BURGLARIOUSLY** entered by means of forcibly prying off the
padlock on the back door of the 3d loft of said
premises, and then opening a second lock on said
door by prying it open with a jimmy.

on the 3^d day of April 1886 in the day time, and the
following property feloniously ^{attempted} taken, stolen, and carried away, viz:

Thirty rolls of Cassimere of the
value of
Fifteen hundred Dollars.

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

George Brooks (near Lee) ^{alleged to be} and an unknown person
who has as yet not been arrested,

for the reasons following, to wit: That on the day aforesaid said
premises were securely locked and fastened
by means of back door key and by a pad
lock, and that about the hour of 4 o'clock PM
on said day said Brooks and said unknown
person were acting in concert, together
that deponent is informed by Elisha Rath
of 52 North Moore Street, that between
the hours of 4 and 5 o'clock PM on the

0042

afternoon of said day said Emma Wrath, entered the hallway of said premises and while in the hallway of said premises she saw the said unknown person coming down the stairs of said premises at a very fast rate of speed and jumping 4 and 5 steps at a time and having something in his hand which is unknown to said Emma Wrath. And make his escape. Deponent is further informed by Martin Huddy a detective sergeant of 305 Mulberry Street, that he arrested said Brooks coming out of the water closet on the floor of said premises and acting in a strange and suspicious manner and failed to account for his being in the said premises, and that said Huddy found the locks of said door broken open and the marks of a jimmy in the door.

Deponent therefore charges said Brooks (now dead) with the said unknown person who is as yet not arrested with attempting to take from the said premises the aforesaid property and with having acted in concert with each other.

Done to before me
 the 24 day of April 1886 } James A Davis
 David C. Kelly }
 Police Justice

Police Court _____ District _____

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

vs.

Burglary _____ Degree _____

Dated _____ 188 _____

Magistrate _____

Officer _____

Clerk _____

Witnesses: _____

Committed in default of \$ _____ Bail _____

Bailed by _____

No. _____ Street _____

0043

CITY AND COUNTY }
OF NEW YORK, } ss.

Emma Rath
aged 33 years, occupation Spec man of No.

52 North Moore Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Louis A Davis
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 4th
day of April 1838 & Emma Rath

Samuel C. [Signature]
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

Martin Hardy
aged 41 years, occupation Retire of No.

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

Sworn to before me, this 4th
day of April 1838 & Martin Hardy

Samuel C. [Signature]
Police Justice.

0044

Sec. 198-200.

124 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

George Brooks 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 George Brooks

Question How old are you?

Answer 34 years

Question Where were you born?

Answer New York City

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

Answer Henry Street, I don't know the number, 5 years

Question What is your business or profession?

Answer grocery clerk

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

Answer I am not guilty of the charge. And I have nothing to say.
George Brooks

Taken before me this

day of April 1888

Samuel J. Kelly Police Justice.

POOR QUALITY ORIGINAL

0045

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

Police Court - 1st District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James H. [Signature]
149 [Signature]
1 [Signature]
2 [Signature]
3 [Signature]
4 [Signature]

Offence

Attempted Burglary

Dated

April 4 188*6*

Magistrate

Samuel C. Kelly

Officer

P. C.

Witnesses

No. *1* *Geo. Mulholland* Street _____

No. *2* *Edmund Roth* Street _____

No. *3* *Wm. St. Moore* Street _____

No. _____

\$ *15000* to answer _____ Street _____

[Signature]

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 *15000* 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 *April 4* 188*6* *Samuel C. Kelly* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

**POOR QUALITY
ORIGINAL**

0046

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Figonz Brader

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

- Figonz Brader -
attempting to commit
of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said *Figonz Brader,*

late of the *Eighth* Ward of the City of New York, in the County of New York, aforesaid, on the *third* day of *April*, in the year of our Lord one thousand eight hundred and eighty-*six*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *factory* of one

- Louis A. Davis -
attempt to
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

Louis A. Davis,

in the said *factory*, 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

0047

SECOND COUNT—

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

Agonaz Brodat of the crime of *attempting to commit* —
of the CRIME OF *Agonaz* LARCENY in the first degree, committed as follows:

The said *Agonaz Brodat*.

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 the said day, with force and arms,

five hundred yards of cloth

of the value of three dollars

each yard.

of the goods, chattels and personal property of one

Louis A. Davis —

in the *factory* of the said

Louis A. Davis —

there situate, then and there being found, in the *factory* 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.

Randolph B. Martin
District Attorney

0048

BOX:

214

FOLDER:

2117

DESCRIPTION:

Burke, Daniel

DATE:

04/15/86



2117

POOR QUALITY ORIGINAL

0049

No 102

Counsel, *AM*
Filed *10* day of *April* 1886
Pleads, *indisputably*

*Bringing in the Third Degree,
and Grand Jurors in
Sections 498, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000*

THE PEOPLE

vs.

R
Daniel Burke

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

A. N. Brown

April 29/86.
Foreman

Speedy & quiet.

Witnesses

Joseph Henry

POOR QUALITY ORIGINAL

0050

Police Court H District.

City and County } ss.:
of New York,

of No. 576 E 15th St Street, aged 32 years,
occupation Barkeeper being duly sworn

deposes and says, that the premises No. 502 E 15th St Street, 18 Ward
in the City and County aforesaid the said being a Amelting and
Store

and which was occupied by deponent as a store
and in which there was at the time a human being, by name Mrs Ryan

were BURGLARIOUSLY entered by means of forcibly breaking
the lock and fastenings of a
rear hallway door leading
to said store

on the 4th day of April 1888 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

a quantity of cigars, liquors
etc all together of the value of
seventy five dollars

the property of James McLaughlin and in deponent's charge
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

Daniel Burke (now here)

for the reasons following, to wit: that at about the hour
of 10:30 on said date deponent
was informed by some persons
that there was some one in said
premises, deponent then looked
through a window of said premises
and saw said Burke in said
premises together with two other
persons by name John Kelly

POOR QUALITY ORIGINAL

0051

and Terence Finnigan both arrested and committed for trial April 5th 1886. Dependent further says that when he entered said premises on said date he found them broken and said property stolen destroyed and carried away

for value

Sworn before me this 10th day of April 1886.
S. J. White
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 _____ 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 he to be discharged.
Dated _____ 188__ Police Justice.

Police Court, _____ District, _____
THE PEOPLE, &c.,
on the complaint of _____
vs.
1 _____
2 _____
3 _____
4 _____
Offence—BURGLARY.
Dated _____ 188__
Magistrate.
Officer.
Clerk.
Witness.
No. _____ Street,
No. _____ Street,
No. _____ Street,
\$ _____ to answer General Sessions.

POOR QUALITY ORIGINAL

0052

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Daniel Burke 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. Daniel Burke

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. Ireland

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

Answer. 532 East 16th St. 4 months

Question. What is your business or profession?

Answer. None

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
Daniel Burke

Taken before me this 10

day of April 1888

Charles J. Smith

Police Justice.

POOR QUALITY ORIGINAL

0053

BAILLED,

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

Joseph Wines
516 East 157 St
Daniel Burke

Offence
Burglary

Dated

188

Magistrate
Magistrate

Preinct

Witnesses

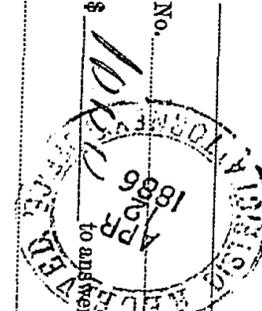
No. *1*
John E. [unclear]
Street

No. *2*
John E. [unclear]
Street

No. *3*
John E. [unclear]
Street

No. *4*
John E. [unclear]
Street

No. *5*
John E. [unclear]
Street



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

Daniel Burke

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *200* 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 *April 10* 188 *Andrew Smith* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY ORIGINAL

0054

PART I.

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK. If this Subpoena is disobeyed, an attachment will immediately issue. Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace,

The People of the State of New York,

To *Michelo Damato*

Not known there

of No. *63 Mulberry* Street.

GREETING :

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *29* day of *April* instant, at the hour of eleven in the forenoon of the same day, to testify the truth, and give evidence in our behalf, against

F. Gabecio

in a case of Felony whereof *he* stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

Witness, Hon. FREDERICK SMYTH, Recorder, of our said City, at the City Hall, in our said City, the first Monday of *April* in the year of our Lord, 188*3*.

RANDOLPH B. MARTINE, *District Attorney.*

PART I.

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK. If this Subpoena is disobeyed, an attachment will immediately issue. Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace,

The People of the State of New York,

To *Off. Runge*

28

of No. _____ Street.

GREETING :

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *29* day of *April* instant, at the hour of eleven in the forenoon of the same day, to testify the truth, and give evidence in our behalf, against

Wm. Hillmeyer

in a case of Felony whereof *he* stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

Witness, Hon. FREDERICK SMYTH, Recorder, of our said City, at the City Hall, in our said City, the first Monday of *April* in the year of our Lord, 188*6*.

RANDOLPH B. MARTINE, *District Attorney.*

PART I.

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK. If this Subpoena is disobeyed, an attachment will immediately issue. Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace,

The People of the State of New York,

To *Joseph Copeland*

Sick in Hospital don't know exact location

of No. *108 West 17* Street.

GREETING :

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *29* day of *April* instant, at the hour of eleven in the forenoon of the same day, to testify the truth, and give evidence in our behalf, against

A. Fry

in a case of Felony whereof *he* stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

Witness, Hon. FREDERICK SMYTH, Recorder, of our said City, at the City Hall, in our said City, the first Monday of *April* in the year of our Lord, 188*3*.

RANDOLPH B. MARTINE, *District Attorney.*

0055

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

David Dundee

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

- David Dundee -

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

The said *David Dundee,*

late of the *Eighteenth* Ward of the City of New York, in the County of New York, aforesaid, on the *fourth* day of *April*, in the year of our Lord one thousand eight hundred and eighty-*five*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *store* of one

- James McRae, -

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

James McRae,

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.

SECOND COUNT—

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

- Daniel Condee -

of the CRIME OF *Grand* LARCENY in the second degree, committed as follows :

The said *Daniel Condee,*

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 the said day, with force and arms,

*one thousand six hundred and no value
of ten cents each, and a quantity
of papers, of a kind and
description to the Grand Jury
possessed unknown, of the value
of fifty dollars.*

of the goods, chattels and personal property of one

James Mc Cabe.

in the *store* of the said

James Mc Cabe.

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.

Daniel Condee
Witness

0057

BOX:

214

FOLDER:

2117

DESCRIPTION:

Burke, Frank

DATE:

04/06/86



2117

POOR QUALITY ORIGINAL

0058

No 13-

Witnesses:

Patrick McGowan
John Dunlop - Officer

Counsel, *A. C. Cullen & Co.*
Filed 6 day of *April* 1886
Pleads *Not Guilty*

THE PEOPLE

vs.

M. E. R.

Frank Burke

April 16/86

Speed & Consent of
Assembly

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

RANDOLPH B. MARTINE,
R. B. Martine
District Attorney.

A True Bill.

Advised
J. H. Brown
Foreman.

April 12th 1886

**POOR QUALITY
ORIGINAL**

0059

The People
vs.
Frank Burke.

Court of General Sessions, Part I.
Before Recorder Smyth.

April 16, 1886.

Indictment for assault in the first degree.

Patrick McGowan sworn. Where do you live? No. 452 West 26th Street. What is your employment? I had charge of the office that night, I was manager of the Telegraph office of the Manhattan District Company. Where are the premises situated? Between 22nd and 23rd Streets, 946 Broadway. Do you know the defendant, Frank Burke and was he employed there too as messenger? Yes sir. Do you remember the 31st day of March last and did you see him there that day? Yes sir. What time of day did this thing occur? 9.30 in the evening. State what he did to you that day? That night, the night of Farnum's parade, this boy went out with two messages, he was allowed about thirty minutes, he came back and was an hour and five minutes behind time, I asked him what kept him and he would not give me a satisfactory answer, I told him he was a big baby to go after Farnum's, he called me out of my name, I do not remember now what the name was, I went over the counter and slapped him in the face and so he slapped me back, I turned around to attend to something and he ran out of the door, I hollered after him and he would not come back but half an hour after I was standing outside the railing looking at a picture, he came in and opened the door and says, McGowan, you hit me, take that, and the pistol went right off, I heard the pistol shot and saw him discharge it, there is a big hole in the wall; he ran out and ran home, I sent a little boy over to get his uniform, this little boy followed

I

**POOR QUALITY
ORIGINAL**

0050

him and had him arrested. He was home when he was arrested.

Cross Examined I was behind the round table when he fired, outside the railings, he was right at the door and the roundtable was between me and the prisoner, it was higher than my head; when he came in I saw the pistol in his hand, he raised it and when I saw him raise it I dropped behind the table. How high from the floor was the hole in the wall, about up to your shoulders? Yes. The ball went into the wall, didn't it? Yes; the round table was as high as my head. Did not that ball strike that wall at a considerable height above the height of the roundtable? No sir. I show you a pistol, is that the pistol he had? Yes sir, I think that is it. I had charge of the office that night, I showed the officer where the ball went into.

James Maynard sworn. Where do you live?
269 Grove Street, Jersey City, I am employed at the Manhattan District Telegraph Office, 946 Broadway and remember the night of the 31st of March last, about half past nine that night I saw the complainant and the defendant; I saw Frank Burke walk into the office with a pistol and he made the remark to McGowan that he hit him and that he came back to get square with him; before McGowan I think was aware of his intention he shot it off but he was quick enough to drop, I saw the defendant fire it off and heard the report and I saw the mark of the bullet in the wall; after the pistol was exploded the defendant ran down towards his home but he was afterwards found out.

POOR QUALITY ORIGINAL

0051

John Dunlap is the case

John Dunlap sworn. I am an officer of the 29th precinct and remember the night of the 1st of March, I saw the defendant in the 18th precinct Station House about five minutes to twelve at night, I showed him the pistol and he said that was his pistol and he fired the shot. He said he went home to get this pistol after he got his face slapped to intimidate McGowan but he did not intend to hit him; it is a six chambered revolver, there was one discharged and five loaded.

Frank Burke sworn and examined in his own behalf, testified. I live 409 East 17th Street with my parents, my father is sick at home, I have never been arrested in my life before, I worked to help support my parents, I fired this pistol but I did not intend to wound him, he was down on his knees behind the counter at the time I pulled the trigger, I fired it only to scare him.

Cross Examined. We had a fight that night, he struck me in the face without any reason at all and then I went home and got the pistol, it belongs to my brother, I was gone about ^{ten} ~~five~~ minutes before I came back to the place, I carried the pistol in my hand, I knew it was loaded, I never handled it before, I did not examine all the chambers, I went back for the purpose of scaring him by firing it into the air over his head; from the position that he was in I knew the shot could not hit him and that is why I fired it at this turning table.

John B. O'Sflaherty sworn. I know the boy and his parents who are very respectable, I never heard of the boy doing anything out of the way in my life.

The jury rendered a verdict of guilty of assault in the second degree with a recommendation to mercy.

POOR QUALITY ORIGINAL

0063

Police Court 2 District.

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

Patrick Mc Gowan
of No. 432 West 26th Street, aged 19 years,
occupation Manager Manhattan Dist. Tel. Co. being duly sworn
deposes and says, that on the 31st day of March 1886 at the City of New
York, in the County of New York, in premises 946 Broadway

he was violently and feloniously ASSAULTED ~~and beaten~~ by Frank Burke
(now here) who willfully and maliciously
discharged a pistol loaded with
powder and ball, at deponent,
saying at the time Mc Gowan you hit
me take that.

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

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

Sworn to before me, this 31st day
of April 1886 P. Mc Gowan
Mr. Burke (Police Justice.)

POOR QUALITY ORIGINAL

0064

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Frank Burke

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 *Frank Burke*

Question How old are you?

Answer *17 years old*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *409 East 17th str One year*

Question What is your business or profession?

Answer *Messenger.*

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

Answer. *I am not guilty
Frank Burke*

Taken before me this

day of

April 188*6*

Police Justice.

POOR QUALITY ORIGINAL

0065

BAILED,

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Police Court-4
District. 450

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Patrick M. Brennan
432 West 26th St
Frank Burke
1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

APR 5 1896
RECEIVED
CLERK'S OFFICE
Date: April 12 1886

Offence Assault
Felony

Magistrate
John Dunlop
Precinct. 29

Witnesses
John Brennan
Frank Burke
No. _____ Street _____
No. _____ Street _____
No. _____ Street _____
to answer _____

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 _____ 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 April 1st 1886 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY ORIGINAL

0055

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Eranda Dundee

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

Eranda Dundee

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

The said *Eranda Dundee*,

late of the City of New York, in the County of New York aforesaid, on the *third* day of *March*, — in the year of our Lord one thousand eight hundred and eighty *six*, with force of arms, at the City and County aforesaid, in and upon the body of one *Patricia McEgan*, in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *Patricia McEgan*, a certain *field* then and there loaded and charged with gunpowder and one leaden bullet, which the said *Eranda Dundee* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, with intent *him* the said *Patricia McEgan*, thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT:

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

Eranda Dundee

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

The said *Eranda Dundee*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of one *Patricia McEgan* — in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and to, at and against *him* — the said *Patricia McEgan* — a certain *field* then and there charged and loaded with gunpowder and one leaden bullet, which the said *Eranda Dundee* in *his* right hand then and there had and held, the same being an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE,

District Attorney.

0067

BOX:

214

FOLDER:

2117

DESCRIPTION:

Burke, John

DATE:

04/22/86



2117

POOR QUALITY ORIGINAL

0068

No 182

Witnesses

Wm. Gray officin

Counsel,

Filed 22 day of April 1886

Pleads *Marty*

THE PEOPLE

vs.

John Burke

RANDOLPH B. MARTINE,

District Attorney.

A TRUE BILL.

J. H. Brown

Foreman

Wm. Gray officin

[Section Penal Code]

POOR QUALITY ORIGINAL

0069

Sec. 198-200.

12

District Police Court.

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 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 John Burke

Question. How old are you?
Answer 36 years

Question. Where were you born?
Answer Ireland

Question. Where do you live, and how long have you resided there?
Answer 133 Chatham Street 2 months

Question What is your business or profession?
Answer Laborer

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
John W. Burke
Mark

Taken before me this

day of March 1888

Samuel W. Collins Police Justice.

POOR QUALITY ORIGINAL

0070

BAILLED,

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

William Greer
Third Park Place

John Danke



Offence Crime against Nature

Dated

April 12 1886

G. Peis Magistrate

Super Park Officer

Witnesses

No.

Street

No.

Street

No.

Street

\$ 1000

to answer

88

Street

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

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

Dated April 12 1886 Saml C Peis Police Justice.

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

Dated 1886 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 1886 Police Justice.

POOR QUALITY ORIGINAL

0071

STATE OF NEW YORK, }
CITY AND COUNTY OF NEW YORK, } ss: POLICE COURT, 1st DISTRICT.

of William Grefer
Port Police Street, being duly sworn, deposes and says,
that on the 11th day of April 1886
at the City of New York, in the County of New York, Department arrested

John B Burke, now here, within
a Urinal in the City Hall Park,
he, Burke, having then the
penis of another man inserted
in his, Burke's, mouth, all of
which is in violation of Chapter
30 Section 6 of the Laws of 1886
of the State of New York which
Law makes said act a felony.

William Grefer.

Sworn to before me, this 19th day
of April 1886
James C. McCall Police Justice.

then and there feloniously, willfully, and
 against the order of nature, ~~and~~
 have a several affair with the said
 male person, and did therein and thereby
 commit and perpetrate the detestable and
 abominable crime against nature: against
 the form of the Statute in and case
 made and provided, and against
 the peace of the People of the State of
 New York, and their dignity.

Randolph B. Matine,

District Attorney

0075

BOX:

214

FOLDER:

2117

DESCRIPTION:

Burlingame, Jacob

DATE:

04/30/86



2117

0076

BOX:

214

FOLDER:

2117

DESCRIPTION:

Burns, James

DATE:

04/30/86



2117

0077

BOX:

214

FOLDER:

2117

DESCRIPTION:

Doyle, Joseph

DATE:

04/30/86



2117

0078

BOX:

214

FOLDER:

2117

DESCRIPTION:

Driscoll, Harry

DATE:

04/30/86



2117

0079

BOX:

214

FOLDER:

2117

DESCRIPTION:

Driscoll, Harry

DATE:

04/30/86



2117

POOR QUALITY ORIGINAL

0080

10-269

Witnesses:

Thomas Crystal

Counsel,
Filed 30 day of April 1886
Pleads

Specifically charged

THE PEOPLE

vs.
Jacob Burlingame
James Burns
Joseph Doyle and
Mary Driscoll

Robbery, (MONEY) first degree.
(Secs. 224 and 228, Penal Code.)

RANDOLPH B. MARTINE,

Attorney at Law,
District Attorney.

Filed & Conveyed
Nos. 1, 2 & 3

A True Bill. S. P. 12 1/2 yrs.

J. P. Brown

Foreman
William D. - May 13

May 11th
May 13th
G. S. O.
R. S. O.

POOR QUALITY ORIGINAL

00001

Police Court - First District.

CITY AND COUNTY }
OF NEW YORK, } SS

Charles Mc Kinney
of No. 9 Brown St Jersey City New Jersey Street, Aged 35 Years
Occupation Steamer being duly sworn, deposes and says, that on the
25th day of April 1886, at the 6th Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from ~~the person of~~ de-
ponent by force and violence, without his consent and against his will, the following property, viz:

One trunk containing good and lawful
Money of the United States consisting of Bank
bills & silver coins of divers denomination
of the amount and value of Twenty Dollars
& three under shirts of the value of one dollar
and two petticoats & one dress of the value
of one dollar altogether of the

the value of Twenty Two DOLLARS,
the property of Carmine Arpellone the case and
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

Jacob Burlingame James Burns
both now here, and two other men not now
arrested from the fact that at about the
hour of ten o'clock & thirty P-M on said
date the said defendant and said other
men not arrested came into the basement
of premises no 59 Mulberry Street where
deponent was lodging with Carmine Arpellone
the two men not arrested forcibly seized
hold deponent by the throat and arms
and forcibly held deponent while the
said defendants Burlingame & Burns
carried the aforesaid trunk out of the

day of

Subscribed to before me this

1886

Police Justice

POOR QUALITY ORIGINAL

0082

of the above described premises and about fifteen minutes thereafter deponent and the owner of said property went to the Station House to report the case and found the aforesaid truck in the Station House and the Sergeant in Command stated that the truck had been found in Bell Street by an officer and deponent identified said truck in said Station House as the property taken stolen and carried away as aforesaid and deponent positively identified the said defendants as the persons that did take steal and carry away said property by force and violence without his consent and against his will

Sworn to before me this 26th of April 1886 Charles W. Kinney
his
Magistrate

Dated 1886 _____
Police Justice

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

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

Dated 1886 _____
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.

Police Court, _____ District, _____
THE PEOPLE, &c.,
vs.
complaint of _____
1 _____
2 _____
3 _____
4 _____
Dated _____ 1886 _____
Magistrate _____
Officer _____
Clerk _____
Witnesses _____
No. _____ Street, _____
No. _____ Street, _____
No. _____ Street, _____
\$ _____ to answer General Sessions.

POOR QUALITY ORIGINAL

0083

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 26 years, occupation Carminio Arquillone
Laborer of No.

59 Mulberry Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Charles McKimiey

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

Sworn to before me, this

day of

188

26 of Carminio Arquillone
Arquillone

Daniel C. Bennett
Police Justice.

POOR QUALITY ORIGINAL

00004

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Jacob Burlingame 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 *Jacob Burlingame*

Question. How old are you?

Answer *31 years*

Question. Where were you born?

Answer *Albany*

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

Answer *240 West 15th 1 year*

Question What is your business or profession?

Answer *Crypterman*

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*

J. G. Burlingame

Taken before me this
day of *April* 188*6*

[Signature]
Police Justice.

0085

Sec. 198-200.

1st District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

James Burns 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 James Burns

Question. How old are you?

Answer 17 years

Question. Where were you born?

Answer. New York City

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

Answer. 40 Woodter 8 months

Question What is your business or profession?

Answer Shoeing manufacture

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

Answer. I am not guilty

James Burns

Taken before me this 26 day of April 1886
Samuel J. Bell Police Justice.

0085

POLICE COURT, FOURTH DISTRICT.

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

of No. 90 Brown St Jersey City New Jersey Charles W. Kinney
that Joseph Doyle (now present) is the person of that name
mentioned in deponent's affidavit of the 26th day of April 1886
hereunto annexed.

Sworn to before me, this 27th day of April 1886 Charles W. Kinney
Mark
Sam'l C. Kelly POLICE JUSTICE.

POLICE COURT, FOURTH DISTRICT.

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

of No. 90 Brown St Jersey City New Jersey Charles W. Kinney
that Harry Driscoll (now present) is the person of that name
mentioned in deponent's affidavit of the 26th day of April 1886
hereunto annexed.

Sworn to before me, this 27th day of April 1886 Charles W. Kinney
Mark
Sam'l C. Kelly POLICE JUSTICE.

0087

Sec. 198-200.

151

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Joseph Doyle 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 Joseph Doyle

Question. How old are you?

Answer 32 years

Question. Where were you born?

Answer. New York City

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

Answer. 110 Ludlow Street 4 years

Question What is your business or profession?

Answer Composer

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.
Joseph Doyle
mark

Taken before me this

day of April 1888

[Signature]
Police Justice.

0000

Sec. 198-200.

102

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Harry Driscoll

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 *Harry Driscoll*

Question. How old are you?

Answer *19 years*

Question. Where were you born?

Answer. *Rhode Island*

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

Answer. *Providence Rhode Island all my life*

Question What is your business or profession?

Answer *Welder*

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
Harry Driscoll*

Taken before me this *27* day of *April* 188*8*

Police Justice.

POOR QUALITY ORIGINAL

0089

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

Police Court No. 1st-611 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

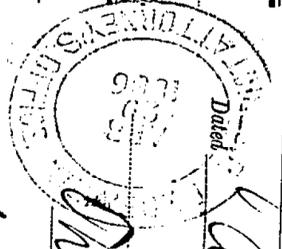
Charles McPherson

James Dunbar

Joseph Doyle

Henry Briscoe

Offence



Date

April 26 1888

Magistrate

Proctor

Witnesses

James Dunbar

Joseph Doyle

Henry Briscoe

No. 59 Mulberry Street

No. 6 Bond Street

No. 2570 4th Ave 10 am

No. \$2500 to answer R & S

If appearing to me by the oath of the within named persons that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

James Dunbar, Joseph Doyle & Harry Briscoe guilty thereof, I order that they be held to answer the same and be admitted to bail in the sum of \$2500 Hundred Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York, until they give such bail.

Dated April 26 1888

James Dunbar, Joseph Doyle & Harry Briscoe
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**

0090

*District Attorneys Office,
City & County of
New York.*

(Copy)

April 25th, 1889.

His Excellency David B. Hill,
Governor State of New York.

Sir:

I have the honor to acknowledge the receipt of your letter in relation to the case of

JAMES BURNS

in whose behalf application for Executive clemency has been made.

In reply I beg to state that on April 30th 1886, an indictment jointly charging Jacob Burlinghame, James Burns, Joseph Doyle and Harry Driscoll, with the crime of robbery in the first degree was filed in this county. All four defendants were tried before the Hon. Rufus B. Cowing in the Court of General Sessions on May 13, 1886. They were convicted of the crime charged in the indictment, and sentenced as follows: Burlinghame, Burns and Doyle each twelve years and six months in State Prison, and Driscoll ten years and six months in State Prison.

On the trial the following facts were disclosed: On the night of April 25th, 1886, an Italian who kept a lodging house in the basement of 59 Mulberry Street, this city, being somewhat under the influence of liquor, fell asleep in the corner of one of his rooms. He had previously requested Charles McKinney, a colored lodger, to see that nobody entered his bedroom, containing a trunk in which

**POOR QUALITY
ORIGINAL**

0091

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

(2)

McKinney had seen him on the day before place the sum of twenty dollars. The trunk also contained some clothing. While the Italian slept six men entered the basement. Among them were the defendants, all of whom were known to McKinney. Doyle entered the bedroom and felt the trunk which was locked. McKinney remonstrated, stating that he was in charge, and tried to prevent the other men from entering the room. Doyle thereupon pushed McKinney into a corner and held him by the neck while Burns and Burlingame entered the bedroom, brought out the trunk and left the place. Driscoll was in company with the other men when they carried out the trunk. After the defendants had left the place, McKinney awoke the Italian and both reported the robbery at the station house. According to McKinney's belief there were other men besides the defendants in the basement when the robbery was perpetrated. There was light in the basement at the time and McKinney had no difficulty in recognizing the defendants whom he had seen several times before and knew very well.

The Police at the Sixth Precinct found the stolen trunk on the street about four block away from the scene of the robbery. It had been broken open and contained no money. A portion of the clothing it had contained was strewn on the street. At the station house the rifled trunk was identified by its owner and by McKinney.

On the information furnished by McKinney the Police ar-

**POOR QUALITY
ORIGINAL**

0092

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

(3)

rested the defendants, all of whom were fully identified by the complainant. The complainant accompanied Officer Chrystal to a yard in Mulberry Street where the officer found Burns concealed in a water closet, and took him into custody. Burns was not using the closet, and the complainant said that he (Burns) had run in there when he saw the officer coming.

The defendants all denied the robbery, and swore that they were not in 59 Mulberry Street on the night of the robbery.

The applicant, James Burns, swore that on the evening in question, being ill, he went to bed at seven o'clock and did not get up till half-past ten next morning. On being asked why he had run into a water-closet, on seeing Officer Chrystal, Burns said, "I saw a policeman and a detective in the alley, and I knew I would get arrested anyhow for being around in that neighborhood. I walked into the water closet and stood there, for when a policeman sees anybody around there he always licks him. He licked me once for standing there." Burns stated that he did not live at home because his parents were not his right father and mother, and he had been away from them for over three years.

The jury, as already stated, found all four defendants guilty. The evidence, in my mind, was conclusive. The identification being beyond all doubt. I fail to see how the jury could have come to any other conclusion than the one arrived at. The

**POOR QUALITY
ORIGINAL**

0093

*District Attorneys Office,
City & County of
New York.*

(4)

basement of 59 Mulberry Street, in which the robbery took place, was what is known as a stale beer dive and was frequented almost entirely, the Police say, by suspected thieves and drunken loafers. The reputation of the defendants among the police was not good, although it is but fair to state that it was not known that either of them had ever before been convicted of any crime. The penalty imposed upon Burns by his Honor, Judge Cowing, was not, in my opinion, unduly severe, considering the gravity of the crime perpetrated. In the absence of any mitigating circumstances I cannot see why Burns should expect Executive clemency, and respectfully recommend that his application be denied by your Excellency.

I remain with great respect,

Your obedient servant,

John R. Fellows,

District Attorney.

**POOR QUALITY
ORIGINAL**

0094

VI.

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

February 16, 1892

Sir:

Application for Executive clemency having been made on behalf of
Robert N. Dubuque who was convicted of *robbery first degree*
in the county of *New York* and sentenced *May 13, 1886*
to imprisonment in the *Sing Sing prison* for the term of
twelve years & six months I am directed by the Governor
respectfully to request that, in pursuance of section 695 of the
Code of Criminal Procedure, you will forward to him a concise state-
ment of the facts of the case, together with your opinion of the
merits of the application.

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

Very respectfully yours,

J. S. Williams
Private Secretary.

Hon DeLaney Nicoll
New York City

**POOR QUALITY
ORIGINAL**

0095

VI

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

January 2, 1889.

Sir:

Application for Executive clemency having been made on behalf of James Burns..... who was convicted of robbery, 1st deg. in the county of New York.....and sentenced May 13, 1886, to imprisonment in the Sing Sing Prison.....for the term of twelve years, six months.....I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since conviction?

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

I am,

Hon. J. R. Fellows,
District Attorney,
New York City.

very respectfully yours,

William H. Rice
Private Secretary.

**POOR QUALITY
ORIGINAL**

0096

*Answered
April 20/89
J. R. G.*

**POOR QUALITY
ORIGINAL**

0097

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

189

Please telegraph for
Officer Thos. Crystal - 8th
Precinct to come to the
District Attorney's Office at
once.

DeLaney Reed
Dist. Atty.
1895

11.40

Reed

**POOR QUALITY
ORIGINAL**

0098

District Attorney's Office,

CITY AND COUNTY OF NEW YORK.

March 30 - 1892

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

*I desire to see Officer Thomas
Crystal attached to your command in
April 1892 in relation to the case of
James Bushong who
sentenced May 12/86 to 10
years and 6 months imprisonment by
James Canning*

*Please ask the officer to bring such inform-
ation in relation to the case, and as to the
previous record of the prisoner, as he may be
enabled to obtain.*

Yours truly,

HENRY W. UNGER,

Deputy Assistant and Secretary to the District Attorney.

**POOR QUALITY
ORIGINAL**

0099

The People
vs.
Jacob Burligame,
James Burns,
Joseph Doyle and
Harry Driscoll.

Court of general Sessions, Part I.
Before Judge Cowing.

May 13, 1886

Indictment for robbery in the first degree.

Charles McKinney sworn and examined. On the 25th of April I was lodging in a basement 59 Mulberry Street in this city and was there at half past ten o'clock in the evening; there was a trunk in the room which contained twenty dollars in money and some clothing, I do not know the value of the clothes but the owner could tell. About six men entered the basement four of whom were the prisoners, I know them well, they came in about twenty minutes or eight, I was sitting down alongside of the master, he was in the corner asleep, he said, McKinney I want you to look out for my rooms and see that nobody gets in", he was a little in liquor at the time. Doyle came in the room first and pulled the room door open and he felt at the trunk which was locked and as he came out of the door again I knew there was a bad crowd and said, "you fellows are not going to do me any harm, leave that man's room alone, I am incare." Doyle said, "what have you got to do with it, go away." I went to the door to prevent him, he reached his hand and held me back to the door. Burns said to me, "you have got nothing to do with it," and he went in the room. That time there was a whole crowd of them at the door, Doyle had me up to the corner by the neck, I did not rush against him because I knew I would be hurt. Burlingame and Burns walked in the room and took the trunk and came out of the door with it. I woke up

I

**POOR QUALITY
ORIGINAL**

0 100

the Italian, the master of the house and told him his trunk was gone. He commenced crying and I went with him in search of an officer but we did not find any. When I saw the officer I told him I knew the men well and he arrested them. The only thing that Driscoll did was to go out with them when they carried the trunk. I can positively swear that the trunk I saw at the Station House was the trunk that these four men took. The trunk belonged to the boss but it was in my keeping.

Cross Examined. Doyle had me by the neck and the others were in the room at the time. Driscoll came in with them. I guess there were more people in the basement than the prisoners. I saw the boss count the money the day before and put it in the trunk, I could not swear positively that it was in the trunk at the time they took it but he said so. I am a teamster crossing to Jersey at the present time but was a sailor once, I left off that work about two weeks ago, the last place I worked was on South Street, taking brick off a schooner, I did not want to do any more work at that time because I was sick in New York, I have only been across from Jersey five days I had eleven dollars when I left Jersey, I boarded in this place in Mulberry Street about five days off and on, I am in the House of Detention at the present time as a witness. There was a light in this basement and one in the hall, the trunk was in the man's bed room, it is not a very large room. If I understand you correctly these four men you had seen several times prior to the time that they seized you by the throat and took your trunk? Yes sir, I had. So you knew them well? Oh yes.

James Churchill sworn. What precinct do you belong to? I am in the 6th precinct. I remember the evening of April 25th. Did you find anything in the street that night? Yes sir, I found a trunk in Doyer Street. How far was the trunk in Doyer Street from the basement 59 Mulberry Street? About four blocks. What was the condition of the trunk when you found it in the street? The pad-lock was broken off and it was lying on its side with the lid open and the clothes that were left in it were half spilled out on the street; there was no money in it. I brought the trunk to the Station House and about an hour elapsed before anybody came; a colored man and some Italian came and they identified the trunk without any hesitation, that is all, I know about it.

Thomas J. Chrystal sworn. I am an officer of the 6th precinct, I received information of this robbery that was said to have been perpetrated on the 25th of April, the Sergeant told me that the complainant would be in the Station House the next morning, I went to the Station House and saw the complainant, I went down with him to Mulberry Street and I sent him in the yard to see if he would see any of them there who he charged with the robbery and when he was in the yard he beckoned me to go in, I went in the yard and went in the water closet and found Burns concealed there, I arrested him, the others were arrested by officers on the post, I told two or three different people if they saw any of them to have them arrested, the people who knew them told the officers and they brought them to the Station House, I brought the colored man up there and he identified each of them as

they came without any hesitation. When I arrested Burns I told him what I arrested him for and he laughed. I arrested him in consequence of the description given by the complainant.

Cross Examined. He described each of the prisoners, this small one Burns I knew him by sight from the description he gave me; he said there was four men came in and one of them was a little boy about sixteen or eighteen he said he had dark eyes, dark clothes and had a red handkerchief around his neck and he said the other one was kind of near sighted and that one was a tall fellow, light complexioned. I told the other officers the description the colored man had given me, I arrested Burns in Baxter Street he had hold of the door of the water closet, I could see his fingers on the lock through the crack of the door, he was not undressed, the complainant said that he had just run in there when he saw me coming.

The Case for the Defence.

Joseph Doyle sworn. I live 59 Mulberry Street and heard the testimony of the colored man. I was not in 59 Mulberry Street from four o'clock until the following morning and when I came back again into the place there was not one word said to me; the colored man was talking about the case and told me that he knew the people if they did not give the money that they got he would surely swear against them. So I went around and sold a little soap I had for I have not got eyesight enough to work and on that evening an officer came to me and the colored man came in along side of me and pointed me out and said that I was one of the men, I went to the Station

**POOR QUALITY
ORIGINAL**

0 103

House and was locked up all night. In the Police Court the colored man swore that Driscoll and me got hold of him by the neck and held him, I could not see to hold a man in that place at night, my eyesight would not permit me, when I go out at night I must have somebody with me to guide me. I can swear before God and man I am as innocent of this charge here as any man sitting in the court. I went out at four o'clock and had my supper in Boss Tweed's on Chatham Street and went from there to a liquor store in 26 Mulberry Street and staid there till between nine and ten o'clock, then I went to the Oakland House, I did live in 59 previous to this.

Jacob Burlingame sworn. I live in Albany when I am home, I have been working off and on about eight years in this city, I was in 59 Mulberry Street once but I do not live in that neighborhood, I heard the testimony of the colored man here a few moments ago, I was not in that place that night as testified to by him, I have never been arrested in my life before. Did you have anything to do with the stealing or carrying away of that trunk? No sir. Did you put your hands on that colored man? No sir. This alleged robbery is said to have been committed on the 25th of April, did you ever see the colored man before the 25th of April? No sir, I never seen him until they fetched in an officer to arrest me. He says he knows the four of you and has seen you around 59 Mulberry Street often, did you ever see him? No sir.

James Burns sworn and examined. Where do you live? I live at 40 Worster Street but I do not live home. Did you hear the testimony of the colored man here on the stand? Yes sir. What have you got to say to that? I say it is untrue. Were you in that place that night? I was not in that place that night, I was asleep that night in my bed, I went to bed at seven o'clock and got up at half past ten in the morning, the book-keeper in the hotel is witness if I could get him, he is not here Buckley is his name, it is next to Tweed's restaurant. I have been without Counsel up to the moment I was brought to the bar, I was arrested in the morning about half past nine in an alley, I saw a policeman and a detective in the alley and I knew I would get arrested anyhow for being around in that neighborhood I walked into the water closet and stood in there for when a policeman sees anybody around there he always licks him, he licked me once for standing there. Why did you go in the water closet if you are innocent and hold that door when you knew the officer was coming around? I did not want to get hit. The reason why I do not live at home is because they aint my right father and mother, they took me when I was eleven months old and I am away from them about three years, I am seventeen yearsold, my father didnot put me out of the house because of trouble I had with him, I went to bed this night at seven o'clock because I was sick and had pains in my stomach. I saw the colored man once before April 25th but never took particular notice of him.

The Jury rendered a verdict of guilty of robbery in the first degree. The prisoners were sentenced to the State Prison for twelve years and a half each except Driscoll who was remanded.

POOR QUALITY ORIGINAL

0105

*copy of
summary on the case
of
Jacob Burlington
Bears, J. Doyle + Mary
Driscoll.*

filed April 1883

17

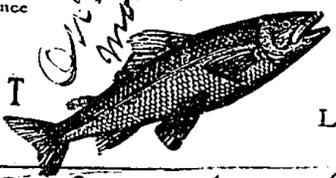
POOR QUALITY ORIGINAL

0 106

Bills payable weekly Albany, 189

A Specialty:
Oysters on
Half Shell
sent to the Residence
FRESH and
SALT

*Oysters on Half Shell
more than any other*



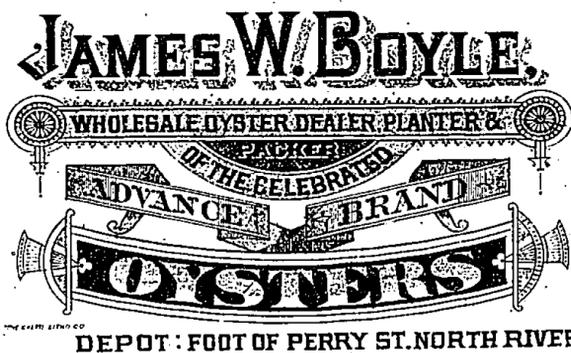
Bought of A. C. BURLINGHAM
—DEALER IN—
OYSTERS & CLAMS
LOBSTERS AND CANNED GOODS
PHILIP

Geo. H. Mead - Nichol Treinny
William Halligan Mark. Coyle
John Ellendorph & Smith
Lee Benedict E. Dailon
Leo Moloney P. Purcell
P. D. Fitzgerald P. Burns
P. Bolton - Wm. Burk John Purcell
John. Riley assembly man
Wm Cox Thomas Drinning
James Quinn James Casey
D. Heaney P. Delany
P. Draton P. Lott
Supt of Police W.W. Willard
County Judge L.E. Griffith
Senator M.F. Collins
Co Sheriff Keeler Albany

*Members of
Board of
Council
Tray*

**POOR QUALITY
ORIGINAL**

0107



New York March 18th 1892

Friend Unger.

*In matter of application for Pardon
of Jacob Burlingham I enclose you a List of Names
on Petition presented to Governor Flower in his
behalf,*

*Yours Truly
J. W. Boyle*

POOR QUALITY ORIGINAL

0100

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Francis Ferdinandine, James Burns, Joseph Duffe and Harry Driscoll

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

Francis Ferdinandine, James Burns, Joseph Duffe and Harry Driscoll of the crime of ROBBERY IN THE *First* DEGREE, committed as follows:

The said *Francis Ferdinandine, James Burns, Joseph Duffe and Harry Driscoll*, all -

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *Twenty-fifth* day of *April*, - in the year of our Lord one thousand eight hundred and eighty-*five*, in the *night* time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one *Charles Mc Timoney* in the peace of the said People then and there being, feloniously did make an assault, and

one promissory note 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 - ; *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 ten dollars, and of the value of ten 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 five dollars, and of the value of five dollars *each* ; *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 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* ; *one* promissory note 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

- ; *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 ten 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 five dollars *each* ; divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of

Twenty dollars, one bundle of the value of one dollar, two watches of the value of one dollar each, and one dress of the value of one dollar.

of the goods, chattels and personal property of the said *one Carmine Arquillone*, in the presence of the said *Charles Mc Timoney* against the will, and by violence to the person of the said *Charles Mc Timoney* - then and there violently and feloniously did rob, steal, take and carry away. *(each of*

them the said Francis Ferdinandine, James Burns, Joseph Duffe and Harry Driscoll were then and there aided

by an accomplice actually present - 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.

RANDOLPH B. MARTINE,

District Attorney.

0109

BOX:

214

FOLDER:

2117

DESCRIPTION:

Burns, William

DATE:

04/29/86



2117

POOR QUALITY ORIGINAL

0110

No 249 *Advised*

Counsel, *W M Upas*
Filed 29 day of April 1886
Pleads, *Mich July 30*

*Sp. 1. 36
1st 12-1-1886*
THE PEOPLE vs. *R*
William Burns
Bringling in the Third Degree.
and Grand Jurors, 2nd degree.
[Sections 498, 506, 528 and 551.]

RANDOLPH B. MARTINE,
R. B. May 16th 91 District Attorney.
Pleads at Bury 3. 4

A True Bill.

R. B. Martine
Foreman

Monday May 11 1886
24 M. Burns

Witnesses:

Prokely Secones
except. Pass, which
sgt. denies

FD

POOR QUALITY ORIGINAL



Police Court 2nd District.

City and County } ss.:
of New York,

of No. 306 west 40th Street, aged 43 years,
occupation Blacksmith being duly sworn

deposes and says, that the premises No 306 west 40th Street,
in the City and County aforesaid, the said being a four story brick
building, and the front hall room open
Second floor of which was occupied by deponent as a bedroom
and in which there was at the time no human being, by name

were BURGLABIOUSLY entered by means of forcibly bursting in
the door leading from the hallway into
said bedroom

on the 22nd day of April 1886 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

two Dress Coats one overcoat
one diamond pin altogether of
the value of one hundred dollars
(\$ 100 00)

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
William Burns (now here).

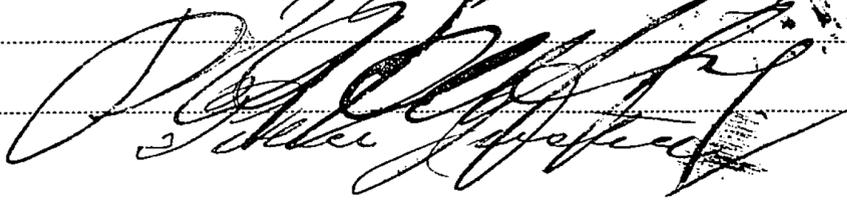
for the reasons following, to wit: On said date about the hour of
6.15 o'clock a.m. deponent locked and
securely fastened the door leading from the hallway
into said bedroom. That deponent had at
the time the afore-described property in said
bedroom - That deponent was subsequently
informed by Margaret Miller the owner of
said premises, that about the hour of 3 o'clock
in the afternoon of said date, she saw

POOR QUALITY ORIGINAL

0112

Said defendant pass out through said Hallway into the street and carrying three Coats on his arm; that said Margaret Miller followed said defendant and caught said defendant on 9th Avenue between 39th and 40th Street where said defendant handed over to said Margaret Miller said three Coats, saying at the same time "Here they are." That the said Margaret then and there caused the arrest of said defendant. That said Margaret afterwards returned to said premises and found that said bedroom had been burglariously entered as aforesaid.

That when defendant returned home to said premises defendant saw that the door leading into his bedroom was burst in and fully identified the three Coats, so found in the possession of said defendant as a portion of said property stolen from his possession.

Sworn to before me }
This 23rd day of April 1886 } A. B. Burnett


Police Court _____ District _____

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Dated _____ 188

Burglary _____ Degree _____

Magistrate _____

Officer _____

Clerk _____

Witnesses: _____

Committed in default of \$ _____ Bail _____

Bailed by _____

No. _____ Street _____

**POOR QUALITY
ORIGINAL**

0113

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 56 years, occupation Margaret Miller
Saloon Keeper of No.

306 West 44th Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Andrew B Burnett.

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

Sworn to before me, this 23

day of April, 1887

Margaret Miller

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0114

Sec. 198-200.

Quid
District Police Court.

CITY AND COUNTY OF NEW YORK, ss

William Burns 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 *William Burns*

Question. How old are you?

Answer *32 years.*

Question. Where were you born?

Answer. *New York City*

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

Answer. *408 East 36th Street New York City one year*

Question What is your business or profession?

Answer *Gas fitter.*

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

Answer. *I am not guilty-*

William Burns

Taken before me this *1887* day of *April* 1887
[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0115

Police Court - 2
District - 6000

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Frederick W. Bennett
306 West 41st St

William Burns

1
2
3
4



Offence Burglary

Dated April 23 1886

Magistrate
Officer
Precinct 20

Witnesses Margaret Walker
No. 306 West 41st Street

No. 306 West 41st Street

No. 93 Street
to answer

CM

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

Dated April 23 1886 _____ Police Justice.

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

Dated _____ 1886 _____ 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 _____ 1886 _____ Police Justice.

**POOR QUALITY
ORIGINAL**

0 1 16

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 Burns

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

William Burns

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

The said *William Burns*,

late of the *Twenty-third* Ward of the City of New York, in the County of New York, aforesaid, on the *Twenty-second* day of *April*, in the year of our Lord one thousand eight hundred and eighty-*six*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *Dwelling house* of one

Andrew W. Burnett,

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

Andrew W. Burnett,

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**

0 1 1 7

SECOND COUNT—

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

— *William Burns* —

of the CRIME OF *Grand* LARCENY in the second degree, committed as follows:

The said *William Burns,*

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

*Two coats of the value of twenty
dollars each, one overcoat of the
value of twenty five dollars and
one diamond pin of the value
of fifty dollars.*

of the goods, chattels and personal property of one

Andrew W. Burnett, —

in the dwelling house of the said

Andrew W. Burnett, —

there situate, then and there being found, in 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.

Donald B. Martin

Attorney

0118

BOX:

214

FOLDER:

2117

DESCRIPTION:

Butler, James

DATE:

04/07/86



2117

0119

No. 26

Witnesses:

Maryetta Lee
Henry Gutzheim

Counsel,
Filed *July 1st* 1886
Pleads *Not guilty*

35
101
vs. *R*
James Butler

Sections 498, 506, 528, 529, 530
Everyday in the Third Degree.

RANDOLPH B. MARTINE,
District Attorney.
In *ap 14/86*
Mag. Ct.
Levi Omermond
A True Bill.

W. Wood
Foreman

0120

Police Court 4 District.

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

of No. 401 East 15th Street, aged 25 years,
occupation House Keeper being duly sworn

deposes and says, that the premises No. 401 East 15th Street, 18 Ward
in the City and County aforesaid the said being a tenement house

and which was occupied by deponent as a dwelling
and in which there was at the time a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly he getting in
the door of deponent's apartments
in said premises

on the 31 day of March 1886 (in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

one coat of the value of about
eight dollars \$8⁰⁰

the property of Henry Tice in charge of deponent
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by
James Butler (nowhere)

for the reasons following, to wit: That at the time men-
tioned deponent resided on the
same floor in said premises
as that on which deponent resided.
That deponent is informed by
Henry Gutzdingen a pawn
broker of number 189 Avenue
A in said City, that after the time
of said burglary, deponent

0121

pledged with him Gutzlanger
the above described property.

Margaret Meisf

Sworn to before me
this 13th of April 1886

Andrew White
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 _____ 1886 _____ Police Justice.

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

Dated _____ 1886 _____ Police Justice.

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

Dated _____ 1886 _____ Police Justice.

Police Court, _____ District,

THE PEOPLE, &c.,
on the complaint of _____

vs.

1. _____
2. _____
3. _____
4. _____

Offence—BURGLARY.

Dated _____ 1886 _____ Magistrate.

_____ Officer.

_____ Clerk.

Witnesses, _____
No. 1. _____ Street,
No. _____ Street,
No. _____ Street,
\$ _____ to answer General Sessions.

0 122

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 16 years, occupation Henry Gutzinger
Parental Clerk of No. 182 Avenue C
Street, being duly sworn deposes and

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

Sworn to before me, this 3
day of April 1886 } Henry Gutzinger

Arthur J. White
Police Justice.

0123

Sec. 198-200.

H District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss

James Butler 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

James Butler

Question. How old are you?

Answer

30 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

401 East 15th Street. one year

Question What is your business or profession?

Answer

None

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.

Not guilty,

James Butler
Mr. H

Taken before me this

3

day of

April

1884

Amundson

Police Justice.

0124

448

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Margaretta West
401 East 137th St
James & Matthews
1
2
3
4
APR 5 1886
OFFICE OF THE DISTRICT ATTORNEY
Offence Burglary

Dated April 3 1886

Magistrate
Officer
Precinct.

Witnesses
Henry Thompson
No. 152 East 137th St.

No. _____
Street, _____

No. _____
Street, _____
\$ 1000 to answer

BAILED,

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

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

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 April 3 1886 Andrew J. White Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0125

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 Butler

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

James Butler

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

The said *James Butler*,

late of the *East* Ward of the City of New York, in the County of New York, aforesaid, on the *thirtieth* day of *March*, in the year of our Lord one thousand eight hundred and eighty-*six*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *dwelling house* of one

Henry Rice,

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

Henry Rice,

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.

SECOND COUNT—

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

James Butler

of the CRIME OF *Petit* LARCENY,—

committed as follows :

The said *James Butler,*

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 the said day, with force and arms,

one coat of the value of

eight dollars,



of the goods, chattels and personal property of one *Henry Eric,*

in the *dwellin* house of the said *Henry Eric,*

there situate, then and there being found, *in* the *dwellin* 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.

0127

THIRD COUNT—

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

James Butler

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

The said *James Butler*,

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,

one coat of the value of

eight dollars.

of the goods, chattels and personal property of one

Sammy Lee

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

Sammy Lee

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

James Butler

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.

RANDOLPH B. MARTINE,

District Attorney.