

0891

**BOX:**

405

**FOLDER:**

3757

**DESCRIPTION:**

Cavanagh, Emily

**DATE:**

08/08/90



3757

Witnesses:

*Emily Cavanagh*  
*Officer Burke*

*Co. Bohman*

Counsel,  
Filed *8* day of *Aug.* 188*9*  
Pleads, *Not Guilty (11)*

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

THE PEOPLE

*27 March 1889*  
*15 1/2*  
*R*  
*Emily Cavanagh*

430

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*James L. ...*

Foreman.

Part II August 26/90  
Trial and Convicted  
Assault 1st deg.

*5 Years + Max fine*  
*Sept 8/90 Sept 13*

0893

Police Court— H District.

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

of No. 106 East 11th Street, aged 28 years,  
occupation Actor being duly sworn

deposes and says, that on 24 day of July 1888 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Emily Caravanagh now here,  
who aimed at and discharged  
the contents of five barrels of a  
revolving pistol loaded with  
powder and ball and three  
of said shots striking deponent  
two on the right shoulder  
and one on the left shoulder

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

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

Sworn to before me, this 25 day }  
of July 1888 } James Caravanagh

Charles Perinton Police Justice.

0894

Sec. 198-200

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Emily Caranagh* 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. *Emily Caranagh*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *No 152 Marbury Place Hunts*

Question. What is your business or profession?

Answer. *Professional dancer*

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*  
*Emily Caranagh*

Taken before me this

day of

*April*

189*9*

at

*New York City*

Police Justice

Police Justice

0095

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 July 25 1890 Charles W. Conner Police Justice.

I have admitted the above-named to bail to answer by the undertak

Dated.....

There being no sufficient cause to

Dated.....

OCTOBER, 1890.

Wed. 1	
Thur. 2	Escorted March 21
Fri. 3	
Sat. 4	Dismissed
SUN. 5	
Mon. 6	same again
Tues. 7	
Wed. 8	Escorted July 23
Thur. 9	
Fri. 10	Came up for trial
Sat. 11	
SUN. 12	July 24th
Mon. 13	
Tues. 14	and she shot
Wed. 15	
Thur. 16	the the same
Fri. 17	day fine times
Sat. 18	
SUN. 19	
Mon. 20	James G. ...
Tues. 21	
Wed. 22	
Thur. 23	
Fri. 24	
Sat. 25	
SUN. 26	
Mon. 27	
Tues. 28	
Wed. 29	
Thur. 30	
31	

..... Police Justice.

..... I order he to be discharged.

..... Police Justice.

0896

1154

Police Court--- H District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Jas. Caranagh*  
*60106 vs. E. 14*  
*Emily Caranagh*

2  
3  
4

*Offence*  
*Alimony*

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Dated *July 25* 18*90*

*J. J. Quinn* Magistrate.

*Brucke* Officer.

*18* Precinct.

Witnesses *Wm. P. Allen*

No. *Wm. Thompson* Street.

*William Bryant*

No. *Medical Suburban* Street.

No. \_\_\_\_\_ Street.

§ *3000* to answer

*Conf*

*025*  
*11/15*

0897

New York March  
29

Simon has been looking  
with a bad humor and  
talking about his wife  
as I thought he would  
and told me of her very  
husband and he was  
one day in the public  
street to him and  
for it and was  
discharged from  
as a discharge from  
you paid for all  
him I had discharge  
you all but I had  
will find out  
was for me and

0898

I suppose you are not all done yet and  
I am sure you will find something  
that will make you hold down your heads  
with shame. I worked in a laundry all  
last summer to keep my feet from  
in this city. There has been a lot of  
but only one by dirt track of  
to have one last winter that  
Kate used to - she was given me a  
name but she would have been the  
of me when it comes to the time

Emily Cassatt

207 East 22nd Street  
Case of Mrs. [unclear]

0099

<sup>2</sup>  
suffer for it) I heard that the  
company could not get any man  
to take back a low place as you  
fill so they had to take you back  
you are telling it around here  
that Monroe wanted you for  
next season which is some one  
of your lies) like you told everybody  
that I am a whore which you know  
is a dirty vile lie no man in  
this world can come and say  
he knows me as such) what kind  
of stuff did you tell Chas Engle  
about me he listened to you but  
give you the laugh now about the place  
you said he spent a few afternoons  
but you was a little more careful  
the last week of you stay here of where  
you went) now if you had not  
shown you colors so plain you  
should have been in business  
this summer for I have a lady friend

0900

New York April 9th

will pay old shop of from first  
 heard about your dump in Boston  
 your going to the address from  
 with a hand looking woman so  
 think so yourself and a number  
 back face - I am getting Nerv  
 every day of bump that you did all  
 under and since perhaps you  
 get that I think the last time you  
 were in that city you are not  
 through with the you have made  
 me look worse but since maybe  
 look and be possible that they  
 are men where did you sleep  
 will be looking to know to show we  
 remaining (I know all and the only  
 was with Dean bring a woman in  
 this city will please you - also  
 with the 7 times) your descent  
 me (my know but I found you  
 all at that and you shall

0901

next your dirty old dog  
who has just lost his  
business and the his  
a Place of Public business  
and he gives me the  
Rent free for three  
months just to give  
me a start of I would  
renew the license which  
would be five hundred  
dollars and the Feds in  
the Bank every week two  
hundred dollars clear  
of everything - He is  
going away for 6 months  
and I could see the Race  
but now it is too late  
for you do you understand  
what that means when  
I say you too late you  
are a dirty old dog

all I did was to give you a little  
of the money I had

0902

<sup>Part I</sup>  
Running after dirty old  
Hurt Salvage Knew  
you was a bad old Pal  
but I did not imagine  
you as bad as I found  
out when it was too late  
but remember you  
are not done with me  
if it takes 20 years  
I will show you how  
you have wronged me  
and your downfall  
I will cage you  
if your old balls must  
be pulled down to your  
knees and you old  
Prick has not a muscle  
to stand on and the  
Discharge <sup>to Pulped</sup> from England  
and is very weak & I want

0903

POOR QUALITY  
ORIGINAL

People v.

~~Emily Joseph~~



out for that woman, she is looking for you". At that time my wife was about fifteen feet away, right at the corner, at the saloon. Kehoe spoke in a low tone. Just then my wife came up to me and said, "You son of a bitch, I wont shoot you, will I". Then she commenced shooting and she fired five shots at me. I ran away and she chased right across 14th street from the down-town to the up-town side. Two of the shots went into my back and one struck me on the shoulder blade, and went through my coat. The others missed me. I can show you right here the mark on my coat. Another struck me in the left breast and glanced off. As I ran away my wife pursued me. She said nothing more; she was following me from across the street. I turned round and saw the officer come up and arrest her. The officer arrested the two of us and took us to the Station House and from there I was sent to Bellevue Hospital. I was treated by Dr. Bowers. My wife threatened on several occasions to shoot me, probably a dozen or twenty, within a period of three months.

Cross-examination.

- Q. Were you arrested in Philadelphia on the complaint of this woman, for assaulting her. A. No sir.
- Q. Were you ever arrested in Philadelphia? A, Yes sir.
- Q. How many times? A. Once.
- Q. Were you not arrested in Philadelphia on the complaint of your wife. A. She never made any complaint.
- Q. Were you arrested on that occasion on her complaint?
- A. He didn't appear.

- Q. Were you arrested on a charge made by her of assault?  
 A. Yes sir, she did the assaulting.
- Q. Did you meet your wife on the day of the shooting at 18th st. and 3rd. av.?  
 A. No sir.
- Q. Are you sure about that?  
 A. I am positive.
- Q. Did you see these blood stains upon her dress on that day?  
 A. Yes sir.
- Q. You are sure about that?  
 A. I am positive.
- Q. Is it not a fact that while she was going up the steps of the 18th st. elevated station, you caught her by the skirt, and pulled her down and beat her then and there?  
 A. No sir.
- Q. Your wife had you arrested for abandonment did she not?  
 A. Yes sir.
- Q. And had you put <sup>under bonds</sup> in Jefferson Market?  
 A. Yes sir.
- Q. How many times has your wife had you arrested since you were married?  
 A. Three times.

PAUL ALLEN, a witness for the people, sworn testified;--

I am living at No. 81 East 10th st. in this city at present. I am an actor by profession, and manager of the Lester and Allen Troupe. I was present in East 14th st. on the evening of July 24th when this assault took place. Mr. Cavanagh the complainant, and two or three of my friends were standing outside of this house telling a few stories. While we were standing there I was entertaining the boys with a few jokes, laughing and chatting, and this lady who claims to be his wife-- I dont know her-- she came up deliberately with this pistol

in her hand covered with the paper. I was standing alongside of Cavanagh, and she came right up, and the first thing I heard was bang, bang, and she fired the pistol off five times. Then I saw him run and fall against a lot of bricks on the other side of the street. When he ran his wife followed and she fired at him again. I didn't see Cavanagh strike his wife at or on this occasion. When this firing was going on I got so excited that I fell down into a cellar. I saw the revolver taken from her. I didn't go to the Police Court. I have no further knowledge of the affair.

Cross examination.

Q. You were very much frightened? A. I was.

Q. So much that you fell down? A. Yes sir.

Q. When you were falling down the shots were going off?

A. Yes sir.

Q. Have you ever been convicted of any criminal offence?

A. No sir.

Q. Has your wife ever had you arrested? A. No sir, I never had a wife.

Q. Where were you standing at the time of the shooting?

A. Right alongside of the complainant.

Q. Cavanagh and you were very warm friends?

A. Just the same as any professional friends are, that is all.

JAMES CAVANAGH, the complainant recalled.

By Mr. Coleman.

Q. Do you recollect the conversation I had with you in the hall on the last day this was in Court? A.

A. Yes sir.

Q. Did you not say to me in the presence of a policeman that you would hang your wife if you could? A. No sir.

Q. You didn't say that? A. No sir.

WILLIAM KEHOE, a witness for the people, sworn, testified;-

I am an actor by profession and reside at present at No. 115 East 14th st. On the 24th of July at about half past seven o'clock in the evening I was standing in front of those premises in company with three or four other gentlemen. I saw this woman Cavanagh cross the street. Her husband wasn't there at the time. When Mr Cavanagh came I told him I had seen his wife. In a short time after that I heard somebody come up behind me and say, " You thought I wouldn't shoot you, did you?" and then I heard the noise of a revolver. I turned around quickly and I saw this defendant firing off her pistol at the complainant five times. She was not very far from him when she fired. He turned around and she ran after him across to the North side of the street. I ran away before I saw anything more of the affair. I didn't see Mr. Cavanagh strike his wife at all while she was firing at him, not did I see him attempt to strike her at any time. I didn't go to the Station house

Cross examination.

Q. Do you mean to say that Cavanagh didn't strike her at any time during the wrangle? A. I am positive he didn't while I was there.

WILLIAM BRYANT, a witness for the people, sworn, testified;

I live at No. 325 East 14th st. I am an actor by profession. I am acquainted with the complainant Mr. James Cavanagh. I know the defendant by sight. On the night of the 24th of July I was standing in company with Mr. Cavanagh and others in the front of his home. Between 7 and 8 o'clock in the evening while we were standing there I heard the report of a pistol and I turned around, and I saw Cavanagh running across the street and I saw the woman running after him. I cannot say positively whether this was the woman or not. I saw the revolver in her hand. I got out of the way as quick as I could I saw a couple of police officers taking the woman into custody. I cannot tell whether any shots were fired while the woman was pursuing Mr. Cavanagh. I was somewhat excited.

THOMAS BURKE, a witness for the people, sworn, testified;--

I am a police officer attached to the 18th Precinct. On the 24th of July I arrested the defendant on the North side of 14th street. When I took her into custody she had hold of the handle of a pistol and the complainant had hold of the muzzle, and they were pulling it between them. I took it from them and on investigation

found five empty shells.

Cross-examination.

Q. Was there any blood on the defendant when you arrested her? A. Yes sir.

Q. She was all blood? A. She was blood down on her neck here.

Q. Do you recognize this as the garment which she wore on that occasion? A. It looks very much like it.

Q. Was there blood on it then? A. Right around the collar.

Q. It was fresh at the time? A. Yes sir.

Q. Were you in the hallway on the day this case was called before? , and if so did you hear the conversation between Cavanagh and myself about the case? A. I have been down on this case several times. I recollect we were talking about the case, but I dont remember what the conversation was.

Q. Do you recollect this remark being made when I spoke to Cavanagh about the case;-- that he would hand his wife is he could.? A. I do not, I saw you talking with him, but I was in a hurry to get away, as it was my day off.

0911

8

D e f e n d e e .

Emily Cavanagh, the defendant. sworn, testified; ----

I am the wife of the defendant James Cavanagh. I have been married to him for four years. I have had him arrested four times for abandonment and for treating me badly. I had him arrested once in Philadelphia but he committed perjury and was let go. Last March he came up to me on 14th street and knocked me down, in the street, and I had him arrested then. I charged ~~with~~ him with abandonment last March and he was held under bonds in the Jefferson Market Court. He has failed to support me for some time. I saw my husband when leaving the Jefferson Market Court at the corner of ~~3rd~~ 3<sup>rd</sup> av. and 18<sup>th</sup> street. I was on my way over to his bondsman to see if the bonds he gave at the Jefferson Market Court were good. This revolver which I had in my possession belonged to him. I went to the 18th street station as I have said, and when I got there he came up to me and said; " I have a notion to rip you open", He had a knife in his hand. He said he was going to do this because I had him arrested. I always was afraid of him. I went up the steps of the elevated road station and he came up with me and beat me which I can prove by the matron in the prison. My hat fell, after I went back to pick it up he hit me over the head with something. I then went down to look for him and couldn't find him. I wanted to have him arrested. I went into 14th street and saw no officer there. This was about halfpast seven in the evening. My inten-

tion when I went into 14th st. was to have him arrested. I went into a hotel to fix my hat up to look decent. I was blood at this time and I took a handkerchief out to put it around my neck. I had a piece of paper around the revolver at this time. I went up and spoke to my husband when I saw him in 14th street, and he stepped back and I fired at him to frighten him. He didn't hit me but he would have only I had the revolver by the handle part and fired it off in order to frighten him. After I had fired it off I went after him and I says, "I am sorry if I have hit you". Then he knocked me down in the street. Then we became engaged in a tussle for the pistol and the officer came up and arrested me.

Cross-examination;---

- Q. How long have you been living together since you were married?      A. We were living together until the 9th of last September.
- Q. Didn't you separate within a month or two after you were married?      A. No sir.
- Q. Didn't you commit adultery with a man in Philadelphia and weren't you found out, and didn't he leave you on that account?      A. No sir.
- Q. Weren't you discovered in the Central Hotel in Philadelphia.?      A. No sir.
- Q. Registered as man and wife?      A. No sir.
- Q. How have you been supporting yourself since you have not been living with him?      A. I had a little bit of money saved.

- Q. Has not he always been engaged in his profession?  
A. No sir he is only a property man.
- Q. Haven't you supported yourself by prostitution?  
A. No sir, I would rather stay in prison all my life. He told me to do that.
- Q. You have always been a pure woman? A. Yes sir, and I can prove it from where I have lived.
- Q. Haven't you ever threatened him before you shot him?  
A. No sir, I never threatened him in my life.
- Q. Haven't you made threats in letters to him; do you recollect that? A. Not that I know of, I dont.
- Q. Is the letter which I show you in your handwriting?  
A. No sir, I dont think it is; I always put my name to everything I write. One letter which you show me I wrote when I was angry.
- Q. Where did you get this pistol? A. Mr. Cavanaugh brought it home one night in September in the pocket of his overcoat. I took it out once on that day thinking I might have some trouble.
- Q. Did you put the pistol in your pocket? A. No sir, I didn't have any pocket I wrapped it in paper in my hand.
- Q. Did you point the pistol at him. A. No sir I didn't point the pistol at him. I only fired it for the purpose of frightening him.
- Q. Didn't you call him this foul name. A. No sir that is language I do not use. The pistol must have gone off by accident.

09 14

11

Q. Your husband knocked you down?    A. Yes sir, he hit  
me and knocked me down, on my hands and knees.

The Jury returned a verdict of  
"Guilty of Assault in the First Degree".

09 15

Indictment filed *Aug 3* 1890

COURT OF GENERAL SESSIONS

Part I.

THE PEOPLE &c.

against

EMILY CAVANAGH.

Abstract fo testimony on  
trial New York August 26th  
1890.

... of assault in the first degree,  
... returned a verdict of  
... on my hands and knees.  
... A. Yes sir, he hit

09 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

*Emily Cavanagh*

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

*Emily Cavanagh*

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

The said *Emily Cavanagh*

late of the City of New York, in the County of New York aforesaid, on the *twenty-fourth* day of *July*, in the year of our Lord one thousand eight hundred and ~~eighty-ninety~~ *ninety* with force and arms, at the City and County aforesaid, in and upon the body of one *James Cavanagh* in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *James Cavanagh* a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *Emily Cavanagh* in *her* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge with intent *him* the said *James Cavanagh* 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

*Emily Cavanagh*

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

The said *Emily Cavanagh*

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

JOHN R. FELLOWS,

District Attorney.

0917

**BOX:**

405

**FOLDER:**

3757

**DESCRIPTION:**

Chamberlain, Rose

**DATE:**

08/04/90



3757

0918

*W. Coleman*

Counsel,

Filed

*4* day of *Aug* 1890  
*W. Coleman*

Pleads,

*Grand Larceny (second degree)*  
[Sections 528, 534, 535, Penal Code]

THE PEOPLE

vs.

*Rose Chamberlain*

*9<sup>th</sup> Ann. Aug. 6*

*8* JOHN R. FELLOWS,

District Attorney.

**A TRUE BILL**

*Edmondson*

*Aug 8, 1890*  
Foreman.

*Pleas J.L.*  
*W. Reed J.P.*

Witnesses;

0919

Police Court— 5 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

William Shook

of No. 1157 E. 85<sup>th</sup> Street, aged 21 years,

occupation Superintendent being duly sworn

deposes and says, that on the 15 day of July 1891 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession

of deponent, in the night time, the following property, viz:

One Gold Watch and  
Chain of the value of Seventy  
five dollars and one gold Ring  
of the value of five dollars altogether  
of the value of Eighty dollars

\$80.<sup>00</sup>/<sub>100</sub>

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 Rose Chamberlain (now Mrs.)

from the fact that on said date

at about the hour of 1 o'clock A.M.

deponent met the said defendant

on 3<sup>rd</sup> Avenue and was solicited by

the said defendant for immoral

purposes. Deponent accompanied the

said defendant to the premises No.

200 East 128<sup>th</sup> Street for the purpose

of having sexual intercourse with

said Defendant.

Deponent and said

defendant went to bed in said

premises and at about the hour

of 5 o'clock A.M. deponent found

Sworn to before me, this 18 day

Police Justice.

0920

the said defendant missing from the room and on searching his clothing which he had removed from his person he found the said property missing from the vest pocket where he had it when he went to bed.

Deponent is informed by Officer Frederick J. Mott of the 29<sup>th</sup> Precinct that he had arrested the said defendant and found in her possession a pawn ticket. Deponent has since seen the property represented by said pawn ticket and fully and positively identifies it as the property taken and carried away from deponent's possession.

William Schuck.

Sworn to before me }  
this 16<sup>th</sup> day of July 1890 }

W. J. G. W. W.

Police Justice

0921

CITY AND COUNTY }  
OF NEW YORK, } ss.

Frederick J. Mott

aged 2 years, occupation Police Officer of No.

29<sup>th</sup> Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of William Shook

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

Sworn to before me, this 16 day of July 1880 } Frederick J. Mott

W. J. [Signature]  
Police Justice.

0922

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Rose Chamberlain

Question. How old are you?

Answer. 38 Years

Question. Where were you born?

Answer. New York

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

Answer. 40 Avenue

Question. What is your business or profession?

Answer. Domestic

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 have nothing to say

Rose Chamberlain  
mark

Taken before me this

16

day of

July  
1898

Police Justice.

0923

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

Dated, July 16 1891 [Signature] Police Justice.

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

Dated,.....189.....Police Justice.

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

Dated,.....189.....Police Justice.

0924

1099.

Police Court--- 5 District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

William Schuck  
vs.  
Rose Chamberlain

offense  
Grand Larceny

2  
3  
4

BAILED,

No. 1, by.....

Residence ..... Street.

No. 2, by.....

Residence ..... Street.

No. 3, by.....

Residence ..... Street.

No. 4, by.....

Residence ..... Street.

Dated, July 16 1890

Powers Magistrate.

Oris F. Mott Officer.

29 Precinct.

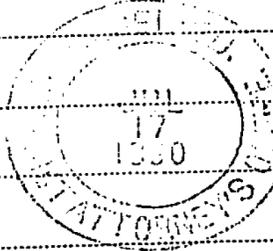
Witnesses.....

No. .... Street.

No. .... Street.

No. .... Street.

\$ 1000 to answer



Handwritten signatures and initials, including a large signature that appears to be 'G. S. ...' and initials 'A. B. ...'.

0925

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Rose Chamberlain*

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

*Rose Chamberlain*

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

The said

*Rose Chamberlain*

late of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *July* in the year of our Lord one thousand eight hundred and *ninety* :

, at the City and County aforesaid, with force and arms, *one watch of the value of fifty dollars, one chain of the value of twenty-five dollars, and one finger ring of the value of five dollars*

of the goods, chattels and personal property of one

*William Schuck*

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

0926

SECOND COUNT—

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

*Rose Chamberlain*

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

The said

*Rose Chamberlain*

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,

*one watch of the value of seventy  
fifty-dollars, one chain of the value  
of twenty-five dollars, and one  
finger ring of the value of five  
dollars*

of the goods, chattels and personal property of one

*William Schuck*

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

*William Schuck*

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

*Rose Chamberlain*

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

JOHN R. FELLOWS,  
District Attorney.

0927

**BOX:**

405

**FOLDER:**

3757

**DESCRIPTION:**

Chidwick, James

**DATE:**

08/22/90



3757

0920

270.

Witnesses:

Oscar Schlegelmier  
188 Moore Station

*[Signature]*

For the reasons contained in the  
memorandum submitted by you  
this day, I recommend the  
remission of sentence upon the  
plea of guilty herein.  
Sept 5/90. *[Signature]*

Wm E. Harris  
Counsel, *[Signature]*

Filed 22 day of Aug 1890  
Pleas, *[Signature]*

THE PEOPLE  
vs.  
James Chidwick  
Grand LARVENY, 2nd degree  
(False Pretenses),  
[Section 528, and 531, Penal Code].

Sept 5/90  
JOHN R. FELLOWS,  
District Attorney.  
*[Signature]*  
A TRUE BILL.

Aug 29, 1890 Foreman.  
Pleas G.L. 2 day  
*[Signature]*

0929

Court of General Sessions.

The People vs.

vs.

James Chedwick.

I have read the affidavits submitted on behalf of defendant, on the moving of sentence herein, and I have made careful examination elsewhere concerning their allegations. From the whole examination it appears that:

The defendant was in May, 1890, and had been for some three months prior thereto, in the employ of the West Side Beef <sup>a New York Corporation,</sup> Company, as salesman, but without authority to make collections, that being done by men specially employed for that purpose. On May 5 a fellow-salesman, one Dennis Murphy, directed him to collect from one Deebinger, a customer of said company, \$54 owing by said Deebinger to said company. Murphy had no power to direct or authorize such collection by defendant, but I am convinced, from an examination of all the witnesses, that defendant was unaware of Murphy's lack of power in that respect. The amount was on said date collected by defendant, but instead of turning it over to the book-keeper of the Company, as Murphy had directed him to do, he got drunk, and spent it. A warrant was gotten on behalf of the Company,

0930

and on the day of its procurement, subsequent thereto, but prior to his arrest, and <sup>he had</sup> when knowledge of the existence of the warrant, the amount of his defalcation was made good by him, or on his behalf. He thereupon went to work in another place in this city, where he was arrested on August 12th. The officer to whom the warrant was given in charge had meantime made several attempts to discover and arrest him, but without success. It does not appear, however, that this was the result of any attempt at concealment on defendant's part; and, in fact, he had been informed by Murphy, to whom the payment in restitution had been directly made, that "the matter was settled", and that there would be no further prosecution. In any aspect of the case defendant was, of course, guilty of some form of larceny, notwithstanding these mistakes; but these circumstances naturally have weight in a question of the disposition of the case or judgment.

The statements of the affiants, then, appear to me to be true, in all material particulars; <sup>in fact, had been previously communicated to me by the witnesses for the people;</sup> the defendant is the support of his wife and mother; he has never been, so far as I have been able to learn, ~~was~~ convicted or accused of crime heretofore; and the case appears to me one in which the interests of justice will be best subserved by a suspension of sentence - which course I respectfully recommend.

Sept 4, 1890.

J. D. Barker

J. D. A. Hy.

0931

Court of General Sessions

THE PEOPLE OF THE STATE OF  
NEW YORK,

against

James Chidwick

Recommendation to Court for sentencing  
in sentence on plea of guilty.

JOHN R. FELLOWS,

DISTRICT ATTORNEY,

No. 33 CHAMBERS STREET,  
NEW YORK CITY.

0932

Court of General Sessions  
of the Peace for the County of New York

The People vs  
against  
James Chadwick

City and County of New York:  
James Chadwick, being  
duly sworn says, I am 25 years  
of age, and upto the 12<sup>th</sup> day of August  
1890, (the day of my arrest) I resided  
with my wife at 807-1<sup>st</sup> Avenue  
New York City. I was never arrested  
or charged with any crime before  
I was upto the 5<sup>th</sup> day of May  
1890, employed by the "West Side  
Beef Company" as a Salesman  
and Collector and had been  
so employed for about five months.

I had no intention of convert-  
ing the \$54.29 (for the larceny of which  
I was indicted) to my own use  
I had it in my possession together  
with money of my own, I was  
under the influence of liquor  
and disposed of it.

I notified the "West Side Beef  
Company" of the fact and

0933

promised to pay the money to  
them in a few days and on  
the 21<sup>st</sup> day of May 1890. I did  
pay them, as will appear by  
my wife's affidavit. I supposed  
the matter was settled until I  
was arrested three months  
after I had paid the money  
as aforesaid.

shown to before me this

5<sup>th</sup> day of September 1890  
John B. Costello.  
Notary Public,  
N.Y.C.

James Chickwick

0934

Court of General Sessions  
of the Peace for the County of New York.

The People vs.

vs.

James Chadwick

City & County of New York p:

Ella Chadwick, being duly sworn says, I am 24 years of age. I am the wife of the above named defendant on the 21<sup>st</sup> day of May 1890, my husband sent me to ~~work~~ to his former employers the "West Side Beef Company" and I paid them fifty dollars in full for all demands against my said husband I was then informed by Dennis Murphy who received the money for said company that the matter was settled. ~~and~~ My husband obtained employment with Mr. David Levy, on 1<sup>st</sup> Avenue between 44<sup>th</sup> & 45<sup>th</sup> streets New York City, where he was employed at the time of his arrest which was three months after he had paid the

0935

said Company a full  
My husband never was  
arrested before to my knowledge  
He has myself and mother  
dependent upon him for  
support and I pray that  
clemency will be extended  
to him by the Court.

Sworn to before me this

3<sup>rd</sup> day of September 1890  
Wm. Morris  
Notary Public  
N.J.C.

J. E. Chasins

Louis Murphy

L. Chasins

N. of General Sessions

The People etc.,

vs

James Chidwick

City and County of New York, ss:  
Samuel Joseph  
being duly sworn says: I am

and have been for the past 16

years in the butcher business. I

J. C. C. reside at No 811 ~~Street~~ Avenue, New

York City. I am, and have

been for the past ten years

and upward well acquainted with

the above named defendant, I have

lived during all said mentioned

period in the same neighborhood

with said defendant, I am well

acquainted with many other persons

who know him and I from all

my dealings and intercourse with

him and I from all I have heard

of him I state that previous

to this present charge his

character, for honesty and

0937

fair dealing in the community  
was good.  
Sworn to before me  
this 4<sup>th</sup> day of September 1890  
John C. Costello  
Notary Public  
N.Y.C.  
Samuel Joseph

0938

N. y. General Sessions  
The People etc.

vs  
James Chidwick

City and County of New York, ss:  
Henry Brabant  
being duly sworn says:  
I am  
about 33 years of age, I  
reside at No 501 First Ave,  
New York City. I am and have  
been for the past eight years  
well acquainted with the  
defendant above named. I  
am also well acquainted with  
many other persons who know  
him - we both having lived for  
the above mentioned period, in  
the same neighborhood - and from  
my acquaintance and intercourse  
with him and from all I have  
heard I state that, previous to  
this present charge, his character

0939

for honesty and fair-dealing  
has been good.

I have never known or  
heard of anything to the contrary.  
Sworn to before me  
this 4<sup>th</sup> day of September 1899 H. Brabant  
John C. Costello.  
Notary Public,  
J.Wy.Co.

0940

N. Y. General Sessions

The People etc,

James Chidwick

City and County of New York, ss:  
William H. Hornidge  
being duly sworn says:

I reside at No 155 East 48<sup>th</sup> Street New York City; I am, and have been for the past twelve years and upwards, well acquainted with the above named defendant, have during all that time met him frequently, and am well acquainted acquainted with numerous other persons who know him; and from my acquaintance with him and from all I have heard of him I state that his character for honesty and fair dealing was always conspicuous

Sworn to before me this 4<sup>th</sup> day of Sept 1890  
John C. Costello  
Notary Public, N.Y. Wm H. Hornidge

0941

CITY AND COUNTY OF NEW YORK, ss. : \_\_\_\_\_  
 being duly sworn, deposes and says : That he is \_\_\_\_\_ years of age and upwards  
 That on the \_\_\_\_\_ day of \_\_\_\_\_ 189 at No. \_\_\_\_\_  
 in the City of New York, he served the annexed \_\_\_\_\_  
 upon \_\_\_\_\_  
 \_\_\_\_\_ the \_\_\_\_\_ therein by  
 delivering to and leaving with \_\_\_\_\_  
 \_\_\_\_\_ a true copy thereof \_\_\_\_\_  
 \_\_\_\_\_  
 Deponent further says that he knew the persons so served to be \_\_\_\_\_  
 \_\_\_\_\_  
 Sworn to before me this  
 day of \_\_\_\_\_ 189

*N.Y. General Sessions Court*

*The People vs*  
 AGAINST  
*James Chadwick*  
 Plaintiff  
 Defendant

*Applicants as*  
*to character of*  
*of defendant*

MORRIS & KEANE,  
*Defendants* Attorneys,  
 132 Nassau Street, N. Y. City.

Due and timely service of a copy within.....  
 ..... is hereby admitted.  
 Dated N. Y. .... 189.....  
 ..... Atty.  
 To ..... Esq  
 ..... Atty.

Sir: Please take notice that the within is a true  
 copy of an.....  
 this day duly..... in the office of the  
 Clerk of this Court in this action,  
 Dated N. Y. .... 189.....  
 Yours, &c.,  
 MORRIS & KEANE,  
 Attorneys for.....  
 To: ..... Esq.  
 Atty for.....

*I have read their affidavits, and  
 made careful examination of  
 same concerning their allega-  
 tions. The facts of respiration  
 prior to arrest, of the circumstances  
 under which it was made  
 are all confirmed by the people's  
 witnesses. From my exam-  
 ination, I am satisfied  
 that defendant has not before  
 been convicted or heard of me.  
 I believe the facts of this*

0942

OUR GOODS BEING OF A PERISHABLE NATURE ARE AT THE RISK OF THE PURCHASER AFTER BEING DELIVERED TO TRANSPORTATION COMPANY IN GOOD ORDER.  
TELEPHONE 39TH ST. 1097 PAY YOUR EXPRESSMAN

NEW YORK, *Apr 30 1890*

*M L Seiburger*

BOUGHT OF **WEST SIDE BEEF CO.** TERMS CASH.  
RECEIVERS AND COMMISSION MERCHANTS IN



*Exhibit a*

*1 steer 700  
2 lbs 67*

*10 1/4*

*47 25  
704*

*May 5, 1890*  
*John Mack...*  
*...*

0943

Police Court— 3 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

Oscar Schlegelmuniz

of No. 188 Morris Street,

aged 25 years,

occupation Manager and Cashier

being duly sworn

deposes and says, that on the 5<sup>th</sup> day of May

1890 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:

Fifty four dollars and twenty nine cents in food and lawful money of the United States

54 <sup>29</sup>/<sub>100</sub>

the property of West side Bree Company owned by John Bohner of which deponent is the Cashier and Manager.

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 Christovick

in the following manner to wit: Deponent was employed by the aforesaid Company as salesman and had no authority to collect any money for said Company. Deponent is informed by Louis Seeburger that the defendant called on him and told witness that he was sent by said Company to collect the aforesaid money. Witness believing said defendant paid said money to this deponent and received annexed receipt marked Exhibit A. Deponent therefore charges the defendant with having taken carried away and stolen said money and prays that he be arrested and held to answer

Oscar Schlegelmuniz

Sworn to before me, this 5<sup>th</sup> day of May 1890  
Mabel J. Saniter  
Police Justice.

0944

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Louis Seebinger*

aged 35 years, occupation Butcher of No. 79

East 109<sup>th</sup> Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Oscar Schlegelmung

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

Sworn to before me, this 21<sup>st</sup> day of May 1880 } Louis Seebinger

Charles W. Fenner  
Police Justice.

0945

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

James Chidwick

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 Chidwick

Question. How old are you?

Answer.

29 years old

Question. Where were you born?

Answer.

New York City

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

Answer.

507, 1st Avenue. 2 years

Question. What is your business or profession?

Answer.

Butcher

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 Chidwick

Taken before me this

day of

188

Police Justice.

May 13  
[Signature]

0946

Sec. 151.

Police Court 3 District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*  
OF NEW YORK, } *of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by Cesar Schlegelmus  
of No. 188 Monroe Street, that on the 5<sup>th</sup> day of May

188 at the City of New York, in the County of New York, the following article to wit:

Fifty four dollars and twenty five  
cents in gold and lawful money of the  
United States  
of the value of fifty four Dollars,  
the property of Mitchee Beef Commission owned by John Bohner  
w as taken stolen and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by James Chudovick

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to  
answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant  
and forthwith bring him before me, at the 3 DISTRICT POLICE COURT, in the said City, or in  
case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the  
said charge, and to be dealt with according to law.

Dated at the City of New York, this 21 day of May 1889  
Charles Hamilton POLICE JUSTICE

0947

Police Court 3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Oscar Schraglinsky

vs.

James Chidwick

Warrant - Larceny.

Dated May 21 1890

Hunter Magistrate

Hagan Officer.

The Defendant  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

..... Officer.

Dated..... 188

This Warrant may be executed on Sunday or at  
night.

..... Police Justice.

having been brought before me under this Warrant, is committed for examination to the  
WARDEN and KEEPER of the City Prison of the City of New York.

Dated..... 188

..... Police Justice.

The within named

Aug 17 1890

29

W. S.

my

W. S. Warden

0948

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

Dated *Aug 13* 18 *90* *[Signature]* Police Justice.

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

Dated.....18.....Police Justice.

There being no sufficient cause to believe the within named.....

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

Dated.....18.....Police Justice.

0949

24 August 12<sup>th</sup> 10 A.M.  
\$500. bail

W 100 1242  
Police Court--- 3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Oscar Schlegelmier  
35<sup>th</sup> St. 12<sup>th</sup> Fl. Manhattan Precinct  
James Endorick

Offence  
J. J. [Signature]  
J. J. [Signature]

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

Dated ~~Aug~~ August 1890  
Jawitz Magistrate.

Hagen Officer.  
3<sup>rd</sup> Dist Court Precinct.

Witnesses Louis Seeburger  
No. 79 East 109<sup>th</sup> Street.

Oscar Schlegelmier @ West  
188 W. 109<sup>th</sup> St.  
No. Bay Co. 35<sup>th</sup> St. 12<sup>th</sup> Fl. Manhattan Precinct  
Manhattan Market  
Democrat Building 132<sup>nd</sup> St. Bay Co.  
No. Manhattan Market 35<sup>th</sup> St. 12<sup>th</sup> Fl. Precinct.

\$ 500 to answer G.S.

Com

0950

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 Rindinda*

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

*James Rindinda*

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

The said *James Rindinda*,

late of the City of New York, in the County of New York aforesaid, on the *eight*  
day of *May* in the year of our Lord one thousand eight hundred and  
~~eighty~~ *ninety*, at the City and County aforesaid, with force and arms, with intent to  
deprive and defraud *one Louis Sebniger, who was*  
*then and there indebted to one John*  
*Admet in the sum of fifty four*  
*dollars and twenty nine cents,*

of the proper moneys, goods chattels and personal property hereinafter mentioned, and of  
the use and benefit thereof, and to appropriate the same to *his* own use, did then and  
there feloniously, fraudulently and falsely pretend and represent to *the said*  
*Louis Sebniger,*

That *he the said James Rindinda was*  
*then and there authorized and empowered*  
*by the said John Admet*  
*to collect and receive from him the said*  
*Louis Sebniger the amount of the said*  
*indebtedness for and on behalf of the*  
*said John Admet.*

And the said Doris Seelwiger —

then and <sup>there</sup> ~~then~~ believing the said false and fraudulent pretenses and representations so made as aforesaid by the said James Rindwind —

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said James Rindwind, the sum of eighty four dollars and twenty nine cents in money, lawful money of the United States of America, and of the value of eighty four dollars and twenty nine cents,

of the proper moneys, goods, chattels and personal property of the said Doris Seelwiger —

And the said James Rindwind — did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and personal property, from the possession of the said Doris Seelwiger

by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said Doris Seelwiger —

of the same, and of the use and benefit thereof, and to appropriate the same to his own use

Whereas, in truth and in fact, the said James Rindwind was not then and there authorized or empowered by the said John Robert to collect and receive from him the said

*Dominic Seelinger, the amount of the said  
indebtedness, for and on account of the  
said John Seelinger.*

And Whereas, in truth and in fact, the pretenses and representations so made  
as aforesaid by the said *James Rindinda* —  
to the said *Dominic Seelinger* — was and were  
then and there in all respects utterly false and untrue, as — *he* — the said  
*James Rindinda* —  
at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said  
*James Rindinda* —  
in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods,  
chattels and personal property of the said *Dominic Seelinger* —  
then and there feloniously did STEAL, against the form of the Statute in such case made and  
provided, and against the peace and dignity of the said people.

JOHN R. FELLOWS,

District Attorney.

0953

**BOX:**

405

**FOLDER:**

3757

**DESCRIPTION:**

Clark, Frank

**DATE:**

08/13/90



3757

Witnesses:

*Alon Carpenter*  
*Officer McCar*

126. *Erin A. Murphy*  
*20 Chambers*

Counsel,  
Filed *13* day of *Aug* 1890  
Pleads, *Not Guilty (14)*

THE PEOPLE  
*vs.*  
*Frank Clark*  
I  
1245

Robbery, [Sections 224 and 224, Penal Code].  
degree

JOHN R. FELLOWS,

District Attorney.

P. 3. Sept. 12. 1890.

*15 2* *Indend my charge*  
*7 for acc.*  
*v provice*

A True Bill.

*Edmund B. M.*

Foreman.

*Part 2 Sept. 13 1890.*  
*Friend Comitted to Prison*  
*with Second degree*  
*Alonca (of P.M.)*

*Sept. 24*

0955

Police Court-- District.

CITY AND COUNTY }  
OF NEW YORK, } ss

*1st*  
of *Little Ferry New Jersey* Street, Aged *51* Years  
Occupation *Carpenter* being duly sworn, deposes and says, that on the

*27* day of *July* 188*9* at the *5th* Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-  
ponent by force and violence, without his consent and against his will, the following property, viz:

*One Pocket book containing  
ten dollars*

of the value of *ten* DOLLARS,  
the property of *deponent*

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

*Frank Clark (now here) who was  
in company with other men  
on the head with some hard  
instrument - falling deponent to  
the ground at Washington  
and Canal Streets that while  
deponent was prostrate said  
property was taken from his  
pocket and that deponent  
identifies the defendant as one  
of his assailants*  
*J. A. Westport*

day of *July* 188*9*  
Sworn to before me, this  
*J. A. Westport*  
Police Justice.

0956

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Frank Clark

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 Clark

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

NY

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

Answer.

12 Beach St

Question. What is your business or profession?

Answer.

Bar tender

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 Clark

Taken before me this

day of

[Signature]  
Police Justice

0957

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

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

Dated July 28<sup>th</sup> 1890 [Signature] Police Justice.

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

Dated.....18..... Police Justice.

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

Dated.....18..... Police Justice.

0958

Police Court--- District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James Carpenter  
Frank Clark

2  
3  
4

Dated July 27<sup>th</sup> 1890  
White Magistrate  
M. C. Officer

Roundstone Precinct  
Witnesses  
Officer No. 511  
5th Precinct Street

Complainant failed  
by Philip Smith  
406 Washington St

No. \_\_\_\_\_ Street  
to answer  
July 28<sup>th</sup> 1890  
Com

Handwritten notes in cursive script, including numbers and names.

BAILABLE  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street

Handwritten notes and a circled number '504' at the bottom.

0959

COURT OF GENERAL SESSIONS.

-----X  
The People : Before  
against : Hon. Randolph B. Mar-  
Frank Clark. : tine and a Jury.  
-----X

Indictment filed August 13th, 1890.

Indicted for robbery in the first degree.

Tried September 17th, 1890.

APPEARANCES.

Assistant District Attorney Goff for the People.

Daniel E. Finn, Esq., for the Defense.

SILAS CARPENTER, the complainant, testified that he was a carpenter by trade and lived at Little Ferry, New Jersey. He was employed principally by Meyerhoff Bros., at Little Ferry. He had never lived in the City of New York. He came to the City of New York on the evening of Saturday, July 27th, as was his custom on Saturdays, to purchase supplies at Washington Market. He went to call upon a friend who lived in 35th Street between 6th and 7th Avenues, the friend was not at home, and he walked down town to Canal Street, and was go-

0960

2

ing towards Washington Street, intending to take the Chambers Street ferry. It was then about midnight. He had drunk a couple of glasses of beer, but he was sober. He saw three men coming out of a saloon and they followed him, the complainant, and he, the complainant, quickened his pace to get away from the men. The men were behind him, perhaps two or three feet, judging from the sound of their footsteps, when he received a blow on the side of his head. His head was cut open to such an extent that he had to have the wound sewed up. He could not tell what he was struck with, but his hat was broken as though he had been struck with a club or some other hard substance. As he turned, he saw the defendant standing close beside him. The defendant put his hand into his, the complainant's left hand pocket, and took his pocketbook out. The other two men stood back a few paces while the defendant was doing this. He, the complainant, was felled to the sidewalk by the blow upon his head and the defendant stooped down and took his pocketbook. He saw the defendant's face distinctly. The other two men stood between 5 and 6 feet away while the defendant was robbing him, the complainant. The pocketbook contained between \$10. and \$12. He, the complainant, drew \$15. that afternoon from his employers, and he spent a little over \$2.00

0961

3

for groceries, 45 cents for his fare and 20 cents for drink. He, the complainant, called out for the police while the defendant was robbing him. Then the complainant ran and the other two men ran in a different direction -- towards the North River. The defendant ran up Canal Street towards Washington. He, the complainant, walked after him, and some police officers chased the defendant. Clark, the defendant, ran around a corner and the officers followed him. Two officers came up almost immediately after the robbery. A few minutes later he, the complainant, was taken to a lamp post where a sergeant of police had the defendant in custody, and he, the complainant, positively identified the defendant.

Under cross-examination the complainant testified that he could not tell exactly what streets, in Canal Street, he was robbed, because he was not well acquainted with the streets in that neighborhood. He was also unable to tell positively what street he went up through to 35th Street, or what avenue he came down, but he believed that he went up and down 8th Avenue. He went to see a man by the name of Jones, who had married his wife's daughter. Jones was not at home, and he immediately walked down town again. He had no watch, but he believed it must have been in the neighborhood of 2 o'clock when he was robbed. When he reached Canal

0962

4

Street, he went into a saloon on the corner near where he was robbed, and had a drink, and treated the crowd, the defendant. He asked Clark the best way to get to 6th Avenue and Clark told him and he asked Clark to take a drink. He thought he would go up town to 6th Avenue and stay there for an hour or two and go down to Washington Market in the morning and make his purchases and go home by train to Little Ferry. Then he left the saloon, and was attacked midway in the block. The defendant came out of the saloon behind him -- perhaps four or five feet. The defendant was accompanied by the two men when he came out of the saloon. His pocketbook was in his left hand trousers pocket, and he had some loose change in his right hand trousers pocket.

OFFICER JOHN McCUE testified that he was on post in Washington Street, from North Moore to Canal Street on the night of July 27th. At about 2 o'clock in the morning he was going across Watt Street towards Canal when he heard the complainant's outcry, coming from the direction of Canal Street, and saw the defendant running down the west side of Washington Street. He, the witness, ran towards the defendant, and called to him to stop, but the defendant ran past him and he, the witness, rapped for assistance and pursued the defendant. He caught the defendant in Watt Street near West. Three or

0963

5

four officers came up as he, the witness, arrested the defendant. He asked the defendant -- the defendant asked him, rather, what was the matter, and he, the witness, replied that the defendant would probably find out. He took the defendant to the corner of Watt and Washington Street and there they met Sergeant Saul, who directed him to stand the defendant under the gas lamp at the corner. The sergeant then asked the complainant if the defendant was the man who had assaulted and robbed him and the complainant said "That's the man that knocked me down and took my money." The defendant said, "You've got me wrong." When Sergeant Saul told him, the witness, to stand the defendant up under the lamp post, the defendant said that it was not right to show him up in front of the light. In the station house the complainant again identified the defendant as the man who had knocked him down and robbed him of his pocketbook. The complainant said that the pocketbook contained between \$10. and \$12. The complainant repeated his statement in the Police Court.

Under cross-examination the witness testified that he took the complainant to the Chambers Street Hospital and had his head dressed. Three or four stitches were put in his wound. In the Police Court the clerk, Mr. Malone, did not say that he would not take the complainant's complaint because he was drunk and did not know what he was talking

0964

6

about, but the clerk appeared to be in a hurry, and sent him, the witness, and the complainant before the Police Justice, who ordered the complaint taken. The complainant was not drunk at any time. He, the witness, searched the defendant in the station house, but found no pocketbook or money upon him.

OFFICER THOMAS F. KELLEHER, testified that he was attached to the fifth precinct, and was standing at Watt and Canal St., on the night of the robbery when he heard the previous witness's rap for assistance. In Watt Street he saw Officer McCue in charge of the defendant. He, the witness, saw the defendant identified by the complainant under the lamp post. The complainant was perfectly sober. Blood was running down the side of his head and his shirt and coat were bloody. The defendant also appeared to be sober.

ROUNDSMAN JOHN G. TAYLOR, of the fifth precinct, testified that he was on Weehawken Street, between Canal and West, at about 2 o'clock on the morning in question, in company with Sergeant Saul, when they heard the complainant's cry for police. They saw the defendant run across Weehawken Street, at the corner of the small park, going down Washington Street. He afterwards saw, in company with Sergeant Saul, the com-

0965

7

plainant identify the defendant.

SERGEANT JOSEPH A. SAUL testified to the same effect.

BERNARD H. MALONE, a witness for the defense, testified that he was a Police Court Clerk attached to the Tombs Police Court. When the complainant was brought by the officer before the desk in the Police Court on the morning following the alleged robbery he, the witness, was satisfied that the complainant was suffering from the effects of drink. The complainant was not incoherent, or anything of that kind, but he had all of the appearance of a man who had been drinking to excess and was nervous. He, the witness, declined to take the complaint until the Justice arrived. He told the Justice the circumstances and the Justice ordered him to take the complaint and he did so.

Under cross-examination the witness testified that it was possible that the complainant's appearance in the Police Court, which he attributed to drink, might have resulted from the excitement of the robbery, and from the loss of blood and pain resulting from the blow.

CATHARINE MURRAY testified that she lived at 27 North Moore Street, and she was the mother of the defendant. She lived at the time of the defendant's arrest at 154 Franklin Street.

0966

8

She met Mr. Malone in the General Sessions Building, when her son was first arraigned for trial, and she asked him to be a witness and tell what occurred in the Tombs when the complainant made his complaint there. Her son had been employed in Princeton, New Jersey, but he had the grippe the previous winter, and since then he had worked for a peddler, and tended bar in Broome Street for some time. The defendant had always been a good son. She had had a conversation with her son in the Tombs prison on the morning after his arrest. His mouth was swollen and his lip was cut and he said that he had got a blow in the mouth.

FRANK CLARK, the defendant, testified that he lived with his mother, at the time of his arrest, at 154 Franklin Street. He left his home at about 8 o'clock on the morning of July 26th, and went down to the market, and then went up to the stable where the peddlers congregated, and he went out peddling for a friend, and earned half a dollar. He went back to the stable between 6 and 7 o'clock and then he went up to 9th Avenue between 44th and 45th Street where the peddlers congregate on Saturday night to collect some money from a peddler which he had lent the week before. He stayed there until about half past 12 at night, waiting to see if the peddler made enough money to pay him back what he had lent,

0967

9

and then he went down to the corner of Canal and Hudson St. A man who had kept a butcher shop in South 5th Avenue near Houston Street had started a saloon there, and he, the defendant, thought that as he, the defendant, belonged in that neighborhood that this man would be glad to employ him as a bartender, but the place was closed. Then he, the defendant, walked down Canal Street as far as Washington Street, and saw a scuffle going on. He turned down Washington to Watt Street, and was about one door from the corner of Watt Street -- from Washington Street in Watt when Officer McCue arrested him. He heard some one shout "Police" and "help", and Officer McCue, who was standing under a shed, to keep out of the rain, stepped out and rapped and called to him to stop. He, the defendant, walked back to Officer McCue and asked the officer what was the matter and the officer said "I'll show you." Then he was taken to the corner of Washington and Watt Street. He, the defendant, was on his way to the house of his uncle who was working at the corner of Laight and West Street, on the subway. He was going to borrow money from his uncle to carry his mother and himself over Sunday. His uncle lived at 90 Laight Street. He, the defendant, needed the money, because it had been raining all the week and he had not made any money to speak of.

0968

10

At the corner of Washington and Canal Street, Sergeant Saul asked the complainant if he, the defendant, was the man. He, the defendant, asked what was the matter. Then there was some talk about an assault and he, the defendant, said he had never seen the complainant before. He mistook Sergeant Saul for another sergeant in the precinct -- Sergeant O'Brien -- and he called him Sergeant O'Brien, and he tried to make an explanation of where he was going when arrested, but the sergeant punched him in the mouth.

Under cross-examination the witness testified that in the Police Court he said that he lived at 12 Beach St., but that was untrue. He did this because he had an application for a position pending with a firm, and he did not want his name or right address to get in the papers. He went to see a man named George Schultz, at the uptown peddlers' market in 9th Avenue. Schultz did not take in enough money to pay him back. He did not know any of the men who were engaged in the scuffle on the corner of Canal and Washington Street. He did not stop to look on but went right past them. He had been known by the name of Murray, his step-father's name.

0969

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 1 DISTRICT.

John W. Lee  
of No. 32nd Street, aged years  
occupation Police Officer being duly sworn deposes and says  
that on the 27 day of July 1890  
at the City of New York, in the County of New York he arrested

Frank Clark, on the complaint  
of Silas Carpenter of Little  
 Ferry, New Jersey for Robbery.  
said Carpenter being a  
non-resident and not likely  
to appear when called  
deponent asks his detentions  
under bail John McBue

Sworn to before me this

of

1890

day

Police Justice.

0970

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Franka Randa*

The Grand Jury of the City and County of New York, by this indictment, accuse *Franka Randa* —

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

The said *Franka Randa,*

late of the City of New York, in the County of New York aforesaid, on the *twenty* ~~ninth~~ day of *July*, in the year of our Lord one thousand eight hundred and eighty ~~ninth~~, in the ~~time of the said day~~, at the City and County aforesaid, with force and arms, in and upon one *Silas Carpenter,* in the peace of the said People, then and there being, feloniously did make an assault, and

*one pocket book of the value of one dollar, and the sum of ten dollars in money, lawful money of the United States of America and of the value of ten dollars,*

of the goods, chattels and personal property of the said *Silas Carpenter,* from the person of the said *Silas Carpenter,* against the will, and by violence to the person of the said *Silas Carpenter,* then and there violently and feloniously did rob, steal, take and carry away, *the said*

*Franka Randa* ~~being then and there~~ aided by an accomplice actually present whose name is to the Grand Jury ~~as yet unknown;~~

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*John R. Bellows,*  
*Attorney*

0971

**BOX:**

405

**FOLDER:**

3757

**DESCRIPTION:**

Clark, John

**DATE:**

08/12/90



3757

0972

117.

Witnesses;

Eugene Fox

John Clark  
The only  
reason in  
the law is  
of the  
The  
with the

Counsel,  
Filed 12 day of Aug 1890  
Pleads,

THE PEOPLE  
John Clark  
Assault in the Second Degree  
(Resisting Arrest)  
(Section 218, Penal Code.)

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

Edward J. [Signature]

Aug. 13. 1890  
Foreman.  
Plea do A. B. dy  
1417 Pen + 750 fine

0973

Sec. 193-200.

4 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*John Clark* 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. *John Clark*

Question. How old are you?

Answer. *31 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *Spuyten Queens New York*

Question. What is your business or profession?

Answer. *Brush maker*

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

Answer. *I am not guilty*

*John Clark*

Taken before me this

day of *August* 189*0*

*W. W. ...*

Police Justice.

0974

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

Dated Aug 8 1890 W. J. Mahan Police Justice.

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

Dated..... 18..... Police Justice.

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

Dated..... 18..... Police Justice.

0975

Police Court--- 11 1225 District.

THE PEOPLE, &c.,  
OF THE COMPLAINT OF

*Edward Fox*

vs.

*John Clark*

2

3

4

*Assault  
Felony*

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *Aug 8* 18*90*

*W. M. Mahon* Magistrate.

*Fox* Officer.

*21<sup>st</sup>* Precinct.

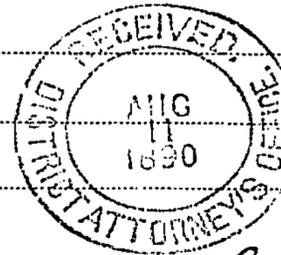
Witnesses .....

No. .... Street.

No. .... Street.

No. .... Street.

\$ *1000* to answer *G. S.*



*[Signature]*

0976

Police Court— 4<sup>th</sup> District.

CITY AND COUNTY } ss,  
OF NEW YORK, }

of No. Eugene Fox Street, aged 29 years,  
occupation Police Officer being duly sworn, deposes and says, that  
on the 7<sup>th</sup> day of August 1888 at the City of New York,  
in the County of New York,

he was violently ASSAULTED and BEATEN by John Clark (now here)  
who struck deponent with a wooden stick  
and threw deponent upon the sidewalk and  
wilfully bit and lacerated deponent's arm.  
Said assault was committed on deponent by defendant  
after being lawfully apprehended for disorderly conduct  
and to resist arrest by deponent who was in full uniform 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 the above assault, &c., and be dealt with according to law.

Sworn to before me, this 8<sup>th</sup>  
day of August 1888

Eugene Fox  
A. J. McMahon Police Justice.

0977

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
*against*

*John Clark*

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

*John Clark*

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

The said

*John Clark*

late of the City of New York, in the County of New York, aforesaid, on the *seventh*  
day of *August* in the year of our Lord one thousand eight hundred and  
*ninety* at the City and County aforesaid, with force and arms, feloniously made  
an assault in and upon one *Eugene Fox*

then and there being, a *patrolman* of the Municipal Police of the City of  
New York, and as such *patrolman* being then and there engaged in the lawful  
*apprehension* of *him*, the said *John Clark*

and the said *John Clark*  
him, the said ~~*John Clark*~~ *Eugene Fox*  
then and there feloniously did, beat, strike, wound and otherwise ill-treat, with intent  
then and there and thereby to prevent and resist the lawful *apprehension*  
of *him*, the said *John Clark* as aforesaid,  
against the form of the statute in such case made and provided, and against the peace of  
the People of the State of New York and their dignity.

JOHN R. FELLOWS,  
District Attorney.

0978

**BOX:**

405

**FOLDER:**

3757

**DESCRIPTION:**

Cleanton, Henry

**DATE:**

08/22/90



3757

0979

**BOX:**

405

**FOLDER:**

3757

**DESCRIPTION:**

Smith, James

**DATE:**

08/22/90



3757

263.

Witnesses:

*H. Sullivan*

Counsel, *None*

Filed 22 day of Aug 1890

Pleas, *Not Guilty* 20/2

THE PEOPLE

*3 4*  
*male*  
*309 E 12*  
*Henry Cleanton*

*44 and*  
*with*  
*James Smith*

PETIT LARCENY. ✓

[Sections 528, 529, 532 U.S. Penal Code.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*J. M. ...*

Part III September Foreman.  
490-  
Book tied and corrected.  
N.L. Petition Larceny  
W.L. Rec. Petition & notes

N<sup>o</sup> 1 Aug 1890 29 Oct 4  
N<sup>o</sup> 2 Dec 1890 20 Feb 4

Aug 1890

0981

here until the latter<sup>5</sup>  
part of March 1888  
when Mrs Donaline  
came after me and  
I went back to Brooklyn  
to work again for  
Donaline having said  
in the mean time,  
I continued to work  
here until Fall when  
I left, and went to  
Wilmington Del and  
had charge of the  
Merchants Cafe located  
at the corner of Market  
St and Rail Road  
This Hotel was kept  
by Mr Simon Gordon  
and I worked for him  
until the Spring of  
1889, when I returned  
to New York and

0982

obtained work with  
S. Hersleson at his  
Hotel on Sea Beach  
Walk Coney Island -  
here I worked as  
cook all the season  
of 1889 - when I came  
to New York I obtained  
work of Mr Samuel  
Riser Collector for  
Hill's Union Brewing  
Company as Bartender  
in his Saloon at  
the corner of Rivington  
and attorney st. and  
here I worked all of  
last winter and when  
spring came went to  
Coney Island and  
worked again for  
Mr Hersleson on

0983

James Brown

Aug 4<sup>th</sup> 1890.

To the Hon

Judge Fitzgibbon

of the Court of Sessions

N.Y. I was tried and

convicted of receiving

stolen goods in the

Court over which your

Honor presides, On

the day I was arrested

- I do not remember

where I met Clinton

whether on Broadway

or Astor Place, But

the meeting was <sup>may</sup> ~~an~~

accidental, and my

impression is that he

had the books when

I first met him but

whether I am not sure

0984

I was drinking some  
on that day but not  
distinct idea of it was  
to be sworn I was  
could not say where  
he got them, I was  
was taken to the Police  
Station unfortunately  
I gave the name of  
James Smith, My own  
name is P. J. Coniston  
I was about Sept 10<sup>th</sup>  
1879 I was arrested  
for Forgery - this was  
on the College check.  
I was tried and convicted  
of Forgery in the fourth  
degree on Jan 31<sup>st</sup> 1880  
and served two years (2)

0985

My time expired Sept-<sup>3</sup><sub>12</sub>  
1881. In April 1883 I  
was again convicted of  
Forgery and sentenced  
to five years, ~~prison~~  
My time expired in  
Nov, 1886 - The first  
time I was sentenced  
by Recorder Smythe  
under the name of  
Charles R. Pitman, the  
second time I was  
sentenced by Judge  
Gibbons under  
the name of Thompson  
when I came out in  
1886 I determined to  
live an honest life  
and the first work  
I obtained was with

0986

Mr Haas as written <sup>4</sup>  
in his Restaurant on  
Catherine St. The No  
I do not remember. I  
worked here until late  
in the spring of 19  
and then obtained a  
situation with Mr  
Patrick Donahue at  
No 73 Hamilton Ave  
South Brooklyn and  
worked there until the  
following Sept. When  
I left and obtained  
a situation in Oysterman  
for Mrs. Van Delaney in  
the city and oyster  
house one door from  
86<sup>th</sup> Street on the East  
side of 2<sup>nd</sup> Avenue in  
this city. I worked

0987

Police Court— 2 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of Charles J. Johnson  
of No 28 Lafayette Place Street, aged 27 years,  
occupation Book Keeper being duly sworn

deposes and says, that on the 15 day of August 1891 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

one printed book viz History  
of Christianity of the value of  
one dollar and fifty cents

the property of The Truth Seeker Company  
in the care and charge 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 Henry A. Clinton and James Smith

(both names true)

from the fact that deponent is  
informed by Patrick J. Sullivan  
of the 17th Precinct Police  
that he found said property  
in the possession of said defendants  
on Broadway and 8th Street in said  
City - deponent further says that

Seems to be correct

Police Justice

0988

said Clinton was in his place  
of business No 28 Lafayette  
Place about 1.30 P. M  
on said date and made  
inquiry about the purchase  
of a book and immediately  
after leaving he received  
the above described property

Chas Johnson

Aug 16  
To J. C. Bennett

0989

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Patrick J. Sullivan*  
aged 34 years, occupation Police Officer of No.

17th Precinct Street, being duly sworn deposes and

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

Sworn to before me, this 16 day of Aug 1899. } Patrick J. Sullivan

[Signature]  
Police Justice.

0990

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James Smith*

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 Smith*

Question. How old are you?

Answer.

*44 years*

Question. Where were you born?

Answer.

*Pa*

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

Answer.

*Coney Island*

Question. What is your business or profession?

Answer.

*cook*

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  
demand a jury trial  
James Smith*

Taken before me this

day of

188

*16*

*Carl*  
*Police Justice*

0991

Sec. 188-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Henry Clutter* 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.

*Henry Clutter*

Question. How old are you?

Answer.

*34 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*309 E 12 St. 2 1/2 years.*

Question. What is your business or profession?

Answer.

*Writer*

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

Answer.

*I am not guilty  
and demand a Jury trial  
Henry Clutter*

Taken before me this

day of

*Aug*

*1901*

189

*J. J. [Signature]*  
Police Justice

0992

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

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

Dated *Aug 16* 18*90* *Doyle* Police Justice.

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

Dated.....18.....Police Justice.

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

Dated.....18.....Police Justice.

0993

Police Court--- 2 1258 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Chas H Johnson  
28 Lafayette Place  
Henry Clinton  
James Smith

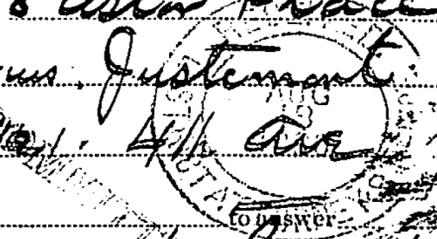
Offence (Carriage) (Horse)

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Dated Aug 16 1896  
W. J. Sullivan Magistrate.  
Sullivan Officer.

Witnesses Patrick J Sullivan  
Precinct 17  
No. Boardman Street.  
8 Astor Place  
Louis Justement  
No. 4th Ave

George B. Smith  
of 8 Astor Place  
Mr North 745 Broadway  
\$500 and 1/2



COURT OF GENERAL SESSIONS, PART III.

----- x  
 :  
 The People of the State of New York, :  
 :  
 against : Before  
 : Hon. Randolph B. Martine  
 : and a jury.  
 :  
 J A M E S S M I T H. :  
 :  
 ----- x

Indictment filed 1890.  
 Indicted for robbery in the first degree.

A P P E A R A N C E S:

For the People,  
 Assistant District-Attorney V. M. Davis;  
 For the Defendant,  
 Mr. J. I. Green.

New York, October 23, 1890.

S E B A S T I A N E C K E R T, a witness for the People, sworn,  
 testified:

I live at No. 820 Tenth Avenue between 54th.  
 and 55th. Street. I am a compositor. On the 21st. of  
 September 1890 at one o'clock in the morning I saw this  
 defendant at the corner of 45th. Street and 10th. Avenue.  
 At that time I had a watch and chain in my pocket. It was  
 a nickel plated watch valued at about \$5, and the chain  
 was a silk one worth about twenty cents. When I reached  
 the corner of 45th. Street and Tenth Avenue the defendant  
 approached me and asked me some question. I didn't un-

0995

2

derstand him. At the same moment that he asked me the question he grabbed me here on the coat and at the same second the watch was gone, and he and the four men who were with him ran away. This happened directly on the corner of Tenth Avenue and 45th. Street. I cannot recollect what word it was the defendant said as I did not understand him. The other men were all around me at the time the defendant spoke to me. They all ran away together. The defendant didn't strike me or use any violence at all. I didn't hear any of the men say anything before they ran away. They ran down to Eleventh Avenue through 45th. Street. I called for an officer, the officer ran after them and arrested them. I afterwards saw this defendant at the corner of 45th. Street and Eleventh Avenue in the custody of the officer, and I identified him as the man who had attacked me at the corner of 45th. Street and Tenth Avenue. At the Station House the Sergeant asked me if this man took my watch. I said: "I cannot say exactly that this man took the watch, but he caught hold of me, and four other men who were with him ran away. This is the man that caught hold of me and my watch was gone in the same second. I do not know whether this is actually the man who took the watch out of my pocket or not." I saw the watch afterwards in the Police Court.

## CROSS-EXAMINATION:

- Q Where were you coming from on this night ? A From the corner of 39th. Street and Eleventh Avenue. I had just left the Secretary of my lodge.
- Q What had you been drinking that evening ? A About four glasses of beer.
- Q How much did you have during the day ? A I drank nothing during the day. I was working.
- Q Is it not a fact that when you reached the corner of 45th. Street and Tenth Avenue you were under the influence of liquor ? A No, sir; I was not drunk.
- Q When you got to the Station House and the Sergeant asked you whether this was the man who stole your watch, did you not say to him that you never saw the man before in your life ? A No, sir.
- Q You never made any such remark ? A No, sir.
- Q What did you say ? A The Sergeant asked me if this man took my watch and I said I could not say exactly that this man took the watch, but he caught hold of me.
- Q Did you have any conversation with anybody as to the testimony you should give here ? A No, sir.
- Q Didn't the officer in this case say to you that if you stuck to him he would give this man ten years ? A No, sir.
- Q Didn't this officer say to you that the defendant had been arrested five times before and that if you stuck to the same statement you made in the Police Court he would railroad this man to prison ? A Not a word.

Q Did you have a conversation with this defendant's sister saying that the officer told you that if you didn't so testify to-day and stand with him you would get a year in prison and \$500 fine ? A No, sir. This man's sister I saw in the Grand Jury Room and she told me I should say that I didn't want to press the charge and she would see to it that all my expenses for time I had lost would be paid.

Q Where were you at the time the officer ran down towards Eleventh Avenue ? A I was waiting on the same corner.

Q How far away from the lamp-post were you when you were attacked ? A The lamp-post was on the corner of 45th Street and I was not very far away from it.

Q Was there any reflection from the light ? A A light was on the corner and I was about four or five feet away from it.

Q You don't say that this man actually took the watch out of your pocket ? A No, sir.

Q At the time the watch was taken there were three or four persons there ? A Yes, sir.

M A R K H O R R I G A N, a witness for the People, sworn, testified:

I am a police officer attached to the 22d. Precinct. I arrested this defendant on the night in question. I saw Mr. Eckert, the complainant, and he said his watch had been taken from him. I was standing on 45th.

Street and Eleventh Avenue at about two o'clock on Sunday morning. I heard the cry of "thief" and I saw the two defendants Smith and another man come running down the street. I was on the opposite side of the street as they came running down, and I crossed over and I told them to halt, and Smith turned and ran towards Tenth Avenue, and I ran after him. As he was going around the corner of 45th. Street and Tenth Avenue he jumped into a door-way and I went in after him and arrested him then. As soon as I had arrested him Eckert, the complainant, came up and said: "That is the man that stole my watch, knocked me down and took my watch and money." I took the defendant to the Station House. The complainant came along and identified the defendant in the Station House before the Sergeant. I found the watch afterwards in the door-way where I arrested the defendant. I didn't find the watch on his person. The watch is at the Property Clerk's Office at Police Headquarters.

CROSS-EXAMINATION:

- Q How far away were you when you first saw this defendant and the other men running as you state? A I was on the opposite side of the street.
- Q Directly opposite? A Directly opposite.
- Q You saw this defendant run into a door-way? A Yes, sir.
- Q You hadn't seen Eckert, the complainant, up to this time?  
A No, sir.

Q How far was this defendant in the lead of the other men?

A About ten or fifteen yards.

Q You ran after him? A Yes, sir; I ran after the defendant. The other men were not caught.

Q Did you not state to the complainant that this man had been arrested four or five times before? A No, sir; never.

Q When you arrested this defendant you didn't find the watch on his person, did you? A No, sir.

Q You took him to the Station House? A Yes, sir.

Q And then, on your return, you found the watch? A Yes, sir.

Q Where did you find it? A In the doorway right where I arrested him.

Q Don't you remember the complainant saying in the Station House, when asked if this was the man that took his watch, that he couldn't say, and did you hear the complainant say that he had never seen this defendant in his life before? A I heard him say he never saw him before.

Q When the Sergeant asked him if this man took his watch, he said he never saw him in his life before? A He said he never saw these people until they came to take his watch on the street. When I arrested him the complainant said he had never seen the man before this time.

Q I am asking you this question: Did this complainant Eckery say to this defendant, when you had arrived at the Station House and when the Sergeant asked him, "Is this

1000

7

the man that took your watch" -- did he not then state: "I never saw him in my life before" ? A No, sir; he said "That is the man who took my watch."

D E F E N S E:

J A M E S S M I T H, the defendant, sworn, testified:

I remember distinctly the night on which I was arrested. On that evening I was at my brother's house. I left there at a quarter of eleven. I was coming up Eighth Avenue and I went into a liquor store where some young men were playing pool. I stayed there until about half past twelve on Sunday morning. After leaving there I went to 42nd. Street and Tenth Avenue, went into a restaurant and had an oyster stew. After leaving there I was walking up Tenth Avenue going home, and when between 44th. and 45th. Streets I saw Mr. Eckert with three men walking up the Avenue. I was behind them. They stopped at the corner of 45th. Street and Tenth Avenue. I walked over past them and there was two young fellows there and I stopped there for about three minutes talking. One of my friends said: "There is a man after getting robbed." I looked around and I saw three men running down 45th. Street. I saw one run as far as a lamp-post in the middle of the block and then run up 45th. St. towards Tenth Avenue. The three of us was standing right at the corner. I took no notice of the men who had run away. I was standing in this door-way when the

officer arrested me. I heard the officer state that he saw me running down 45th. Street and chased me back. That is not true. I didn't run on that evening at all, but stood all the time in this door-way. I have heard all the testimony of the officer. In the Police Station the Sergeant asked the complainant if I was the man that took his watch, and he said: "I am not sure; I never saw the man before in my life." I have never been arrested in my life before charged with any offense. I have lived in the City of New York about seven years. I have a mother and sisters living. I was standing still all the time I was arrested. The complainant Eckert was under the influence of liquor in the Station House.

## CROSS-EXAMINATION:

- Q You didn't notice his condition before you got to the Station House? A No, sir.
- Q Didn't you notice he was drunk when you saw him with these other men? A No, sir; I didn't pay particular attention to him.
- Q When you got to the Station House you noticed that he was drunk? A Yes, sir.
- Q Did he stagger? A Yes, sir; he looked like a man who had been on a spree.
- Q Did he make any noise? A No, sir.
- Q You say you saw this robbery take place? A I was standing right on the corner.
- Q What did you see? A I saw three men running down the

street.

- Q Did you hear the complainant call for police ? A I could not say whether he called or not.
- Q What became of your friends ? A They stood there too for about three or four minutes.
- Q Did you see anybody running through 45th. Street ? A Yes, sir.
- Q The officer says he arrested you in a door-way and now you say you were not in the door-way ? A I was on the sidewalk.
- Q About how far away from the door-way ? A About seven feet.
- Q You know that the watch was found there ? A I don't know anything about that.
- Q What were the names of the other two young men that were with you ? A Dwyer and Kenny.
- Q How long have you known them ? A About six months. One lives on 41st. Street and the other one lives at 619 Tenth Avenue. I don't know whether either of them are in court to-day or not.
- Q Don't you know that those two men are the very men who have not been seen since ? A No, sir.
- Q What is your business ? A I am a teamster.

A M Y S M I T H, a witness for the defendant, sworn, testified:

I am the mother of this defendant. I have endeavored to find a witness by the name of Dwyer and a man

named Kenny. I have not been able to find them. I heard the police officer say to the complainant that if he didn't testify against my boy he would be fined \$500 and serve a year in prison.

S A R A H S M I T H, a witness for the Defendant, sworn, testified:

I have seen the complainant before. I had a conversation with him. I heard him say that the police officer told him that if he would identify the watch as his he would give this man ten years.

Q Eckert told that to you -- that the policeman said if he stood by him he would give this man ten years? A Yes, sir.

Q Did Eckert tell you anything else? A He said he didn't want to go against him at all, that he couldn't tell he took his watch until the policeman forced him to make the charge. I am a sister of the defendant.

M R. E C K E R T, the complainant, re-called:

The letter which is now shown me is a letter which I wrote and gave to the mother of the defendant. That letter states that I had no objection to the defendant being admitted to bail. I handed that over to his mother in order that she might use it with some lawyers to procure bail for her son. After these men attacked me they

1004

11

ran away. While I was standing on the corner waiting for a policeman I saw nobody on the corner with me. I am positive that there were not three young men on the same corner with me during that time.

The jury returned a verdict of "guilty of grand larceny in the first degree".

Indictment filed *May* 1890

COURT OF GENERAL SESSIONS

Part III.

T H E P E O P L E &c.

against

J A M E S S M I T H .

Abstract of testimony on

trial New York October

23rd 1890.

1006

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*  
*Henry Cleanton*  
*and James Smith*

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

*Henry Cleanton and James Smith*  
of the CRIME OF PETIT LARCENY committed as follows:

The said *Henry Cleanton and James Smith, both*

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

*one printed book of the value*  
*of one dollar and fifty cents*

*\$*  
of the goods, chattels and personal property of ~~one~~ a corporation called  
*the Truth Seeker Company*

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

## SECOND COUNT---

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

*Henry Cleanton and James Smith*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Henry Cleanton and James Smith, both*

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

*one printed book of the value of  
one dollar and fifty cents*

of the goods, chattels and personal property of ~~one~~ *a corporation called*  
*The Truth Seeker Company*  
by a certain person or persons to the Grand Jury aforesaid unknown, then lately before  
unlawfully stolen, taken and carried away from the said *corporation*

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

*Henry  
Cleanton and James Smith*

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

JOHN R. FELLOWS,  
District Attorney.

1008

**BOX:**

405

**FOLDER:**

3757

**DESCRIPTION:**

Coglan, Stephen

**DATE:**

08/19/90



3757

1009

207.

Witnesses;

Don Morionty  
M Fitzpatrick  
Mary Morris

Upon examination, I recommend  
defendant's discharge upon his  
own recognizance.  
Aug 21/90. J. H. Barber  
JH

Counsel,  
Filed 19 day of Aug 18 90  
Pleads, Not Guilty (19)

THE PEOPLE  
vs.  
Stephen Cogan  
Grand Larceny, Second Degree  
(From the Person.)  
[Sections 528, 58, 472 Penal Code].

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

Aug 20. 1890  
J. H. Barber  
Foreman,  
Jury Recog. on his  
own recognizance  
JH

10 10

Police Court

District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 239 West 66th Street, aged 27 years,  
occupation Plasterer being duly sworn

deposes and says, that on the 1st day of August 1890 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of Person of deponent, in the day time, the following property, viz:

One Gold Watch of the Value of Forty 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 Stephen Suggan (now here) from the fact that on said date deponent was lying asleep in the office of the Liquor Store located in premises no. 99 10th Avenue, and on awaking deponent discovered that said property had been taken stolen and carried away from the left hand pocket of the vest then on deponent's person. Deponent is informed by Mary Morris that on the 18th day of August 1890. She found in the room of the said Suggan in premises no. 201 West 63 St. a Gold Watch which deponent fully recognizes as the Watch taken stolen and carried away from deponent's possession in said town.

Sworn to before me, this 1st day of August 1890

Wm. W. M. W.  
Police Justice.

10 1 1

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 34 years, occupation Mary Morris  
Housekeeper of No.

201 West 63<sup>rd</sup> Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Samuel Morawitz

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

Sworn to before me, this 12  
day of August 1887 } Mary J. Morris

Henry J. ...  
Police Justice.

10 12

Sec. 198-200.

M District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

Stephen Loglan 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. Stephen Loglan

Question. How old are you?

Answer. 25 Years

Question. Where were you born?

Answer. New York.

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

Answer. 110 Henry Street New York.

Question. What is your business or profession?

Answer. Server

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 -  
Stephen Loglan

Taken before me this 13  
day of August 1899  
Wm. Bennett

Police Justice.

10 13

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

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

Dated, July 15 1890 James... Police Justice.

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

Dated, ..... 189 ..... Police Justice.

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

Dated, ..... 189 ..... Police Justice.

10 14

Police Court---

1243 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Samuel Morison by  
Stephen Loglan

1  
2  
3  
4

offense  
Kiddnap

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated Aug 15<sup>th</sup> 1890

Murray Magistrate.

Fitzpatrick Officer.

26 Precinct.

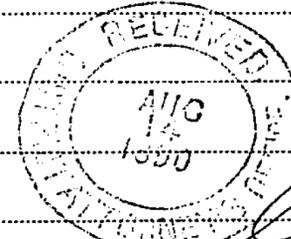
Witnesses Mary Morris

No. 201 West 63 Street.

No. Street.

No. Street.

\$ 1000 - to answer



Handwritten signature and notes

10 15

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Stephen Cogan*

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

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

The said *Stephen Cogan*

late of the City of New York, in the County of New York aforesaid, on the *first*  
day of *August* in the year of our Lord one thousand eight hundred and  
*ninety*, in the *day* time of the said day, at the City and County  
aforesaid, with force and arms,

*one watch of the value of forty  
dollars*

of the goods, chattels and personal property of one *Daniel Moriarty*  
on the person of the said *Daniel Moriarty*  
then and there being found, from the person of the said *Daniel Moriarty*  
then and there feloniously did steal, take and carry away, against the form of the statute in such  
case made and provided, and against the peace of the People of the State of New York and their  
dignity.

*John J. Fellows*  
*District Attorney*

10 16

**BOX:**

405

**FOLDER:**

3757

**DESCRIPTION:**

Cole, James

**DATE:**

08/08/90



3757

71.

Witnesses;

*Antonio Buchanan*  
*Augustine De Bione*

*Samuel R. P. Oas*  
*Samuel R. P. Oas*  
*Cor Murrey West*  
So. . .

*Anthony P. Oas*  
*W*

Counsel,  
Filed *8* day of *Aug* 1890  
Plends, *Not Guilty*

36  
4/1/90  
THE PEOPLE  
vs.  
*James Cole*  
Grand Larceny *Second Degree*  
[Sections 528, 53/50, Penal Code.]

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*Edward L. P.*

*Aug. 11, 1890*  
Foreman.

*Pleasor P. S.*  
*W. M. R. P.*  
*A 15*

1018

Police Court—16 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

Anton Buchignani  
of No. 134 - 3<sup>rd</sup> Avenue Street, aged 74 years,  
occupation Bookkeeper being duly sworn

deposes and says, that on the 29 day of July 1898 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One overcoat and one pair of  
trousers together of the value of  
Thirty Dollars  
(\$30.00)

the property of deponent's brother 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 Gale (now here) from  
the fact that deponent is informed  
by Angelina Del Bianco, who is  
deponent's employ as servant at the above  
mentioned premises, that she Angelina  
saw the defendant in the hallway of  
the said premises, with the aforesaid  
property in his possession. Deponent  
further says that the defendant had  
no business in the said premises, and  
charges the defendant with feloniously  
taking, stealing, and carrying away  
the said property and prays that he may  
be dealt with as the law directs

Anton Buchignani

Sworn to before me this 29 day of July 1898  
of Charles W. McManis Police Justice.

10 19

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Angelina Del Bianco*

aged *29* years, occupation *Servant* of No.

*134-3rd Avenue* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Anton Duchesneau*

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

Sworn to before me, this *29* day of *July* 18*90* } *Angelina Del Bianco*

*Charles W. Jamieson*  
Police Justice.

1020

Sec. 193-200.

4 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

James Cole 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 Cole

Question. How old are you?

Answer. 36 years

Question. Where were you born?

Answer. New York City

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

Answer. At home

Question. What is your business or profession?

Answer. Salesman

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

Answer. ~~I am~~ I am not guilty  
James Cole

Taken before me this 7th  
day of July 1888  
Charles V. Stanton Police Justice.

1021

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

Dated *July 29* 18 *90* *Charles McVittie* Police Justice.

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

Dated.....18..... Police Justice.

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

Dated.....18..... Police Justice.

1022

1171

Police Court--- 4 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Anton Buchignani*  
*134-3<sup>rd</sup> Ave*  
*James Cole*

*Officer Luning*  
*Yulovny*

1  
2  
3  
4

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *July 29* 18*90*

*Tajator* Magistrate.

*Gough* Officer.

*18* Precinct.

Witnesses *Angelina De Biasi*

No. *134-3<sup>rd</sup> Ave* Street.

No. .... Street.

No. .... Street.

§ *500* to answer *G.S.*

*Com*

1023

**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 Cole*

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

*James Cole*

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

The said

*James Cole*

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

*one overcoat of the value of twenty-four dollars, and one pair of trousers of the value of six dollars*

of the goods, chattels and personal property of one

*Anton Buchignani*

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

*John R. Fellows,  
District Attorney.*

1024

**BOX:**

405

**FOLDER:**

3757

**DESCRIPTION:**

Calville, Henry

**DATE:**

08/08/90



3757

73. *hair*

If witnesses:

*Louisa Colville*

*Avery K. Case*

*PH*

Counsel,

Filed *8* day of *Aug* 1890

Pleas, *Not Guilty (11)*

33 THE PEOPLE

*33* Paper Stamp 25.

*R*

*Henry Colville*

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

*1890*

JOHN R. FELLOWS,

*Aug 25/1890* District Attorney.

*S. M. A. 170, 1890 SP.*

A True Bill.

*Comm'de AM*

Foreman.

*Aug. 21 1890.*

*Jury and Council of  
Assault in the First Degree*



He says; "You are not going without me", and I says " All right come along", and so we got up. He still held on to me. We started for the door and I asked the lady I was visiting to go with me. I was in fear of him as he had threatened me. I started down the stairs and while descending the second flight of stairs, I turned and looked up at him and as I did so I saw his hand in his pocket, and I said to my friend; "Oh Jennie he has got a knife". With that he threw me down on my back, and he plunged the knife into me and stabbed me seven times. One blow struck me on the arm; another on the elbow three or four inches above the first wound; one in the upper part of the back; one in the front of the right arm; one in the abdomen, and one in the right side. He also struck me with the knife, on the neck, leaving a scar which I have here still. All the time he was striking me I was lying down on the floor screaming. I struggled all I could, but it was of no use as he held me down. Mrs. <sup>Cardman</sup> Bergen managed finally to throw him off of me, and then he ceased his cutting. I got up and went downstairs and went round the corner to a drug store, and I afterwards went to the Presbyterian Hospital. I was laid up for 14 or 16 days. My wounds were dressed and treated in the hospital. I afterwards saw the defendant at the police court. He pleaded not guilty, at the police court, and after he had pleaded guilty he said to me that he would fix me. I have not had any talk with him since that time.

Cross-examination.

- Q. Have you been married for ten years? A. Yes sir.
- Q. And have four children living? A. Yes sir.
- Q. When had you last seen the defendant before the third of July? A. On the Monday previous at No. 2367 2nd avenue. He frequently came to see me at that place.
- Q. Did you ever go down to Coney Island or Rockaway to see him? A. I saw him at Far Rockaway.
- Q. Was he at work down there? A. No sir, he wasn't. I had received letters from him at Far Rockaway, and I went down to see what he was doing.
- Q. He gave you some money didn't he? A. No sir.
- Q. Didn't he give you four dollars on that occasion?  
A. No sir.
- Q. He had been drinking somewhat on the occasion he came to see you on second avenue. A. Yes sir, he had been drinking considerable, he asked me for money and threatened my life if I didn't give it to him. I went up to my mother's house in Westchester to get away from him.
- Q. What time in the day did this assault occur?  
A. At about five o'clock. I was then on my way to my mother's at Westchester.

1029

45

FRANK L. HUPP, , a witness for the people sworn, testified;--

I am a physician and surgeon attached to the Presbyterian Hospital, and I was so attached on the 3rd day of July last. The complainant Mrs. Colville came to the hospital on the 3rd day of July, and was dismissed on the 19th day of July making 16 days in all. She sustained a number of incised wounds. The exact number I don't remember. Several that were more serious, I do remember. The wound that engaged our attention most was a stab wound of the abdomen. Whether it was penetrating or not I do not know. It was explored and it was considered a serious wound, and it was treated what we call antiseptically. It was dressed with clean dressing, and the result awaited. Nothing serious however, came from that wound. The other wounds in point of seriousness was one sustained in the front part of the left elbow; right at the point of the elbow; it came down through the superficial structure, and through a very important muscle,-- the biceps muscle. We treated that wound very carefully. The motion of the arm had been seriously impaired by that wound. There was another wound in the left breast, about an inch and a half in depth as I remember. It cut into the glands and structure of the breast proper. That wound was likewise sewed up and dressed. Most of the other wounds were simply flesh wounds. A wound of the <sup>intestines</sup> ~~intestines~~ is always considered a serious wound, and if not properly treated, fatal.

Cross-examination.

Q. You spoke of three wounds as being more serious?

A. Yes sir. Three were quite serious, the others were not so much so.

Q. To what depth did the wound in the abdomen extend?

A. I dont know.

Q. What was the length of the wound in the left breast?

A. I dont remember exactly the length; it was about an inch or an inch and a hald, as I remember.

Q. Can you tell if that wound in the breast was cut by one cut or not? A- I couldn't tell you.

Q. The patient improved from the time she came?

A. Yes sir.

MARY J, BOARDMAN, a witness for the people sworn testified;

I live now at 169 East 123rd st.

On the third of July I lived at No. 179 East 85th street.

On the third of July-- I could not tell you exactly the time -- it might have been about half past four or five o'clock,

I heard a noise in the hallway. I went out and saw who

it was. I walked up stairs and afterwards the defendant

and his wife came into my room. I advised them to come

inside as they were beginning quarrelling. I told them

they had better go, and I told the wife that she would

get better protection in the street than she would in

my house. I ordered them out. Mrs. Colville asked

me if I would see her to the door and I told her yes; I went

out in the hall; she went downstairs ahead of him, and

when they got down to the second landing he grabbed hold of her by the shoulder and had a knife in his hand, and he stabbed her, I couldn't tell how many times. He plunged the knife into her and I was engaged trying to break him away from her. I finally succeeded in getting him to relinquish his hold of the woman; then Mrs. Colville managed to get down stairs to the drug store and she was afterwards taken to the hospital. The defendant then went away. At about half past ten that night I saw the defendant come to my door; there was quite a crowd there and two or three policemen. When he appeared I says; "Why Harry have you come back again?" and he didn't answer. I says; "Dont you think you did enough?" He said "Where is she?" and I said; "She will be dead before the morning" and with that he put his hand in his pocket for something. With that I had the officer who was there arrest him, and he was taken away to the Station house.

Cross-examination.

- Q. Do you know what time this was? A. It must have been at 5 o'clock.
- Q. He came back to your place afterwards? A. Yes sir.
- Q. When you first saw him was he intoxicated. A. I suppose he was. He didn't stagger or anything.
- Q. Did he look like a drunken man? A. No sir. he did not.
- Q. You understood all he said? A. Yes sir, he was not what I should call a drunken man.

Q. You say Mrs. Colville came down stairs first?

A. Yes sir, and her husband right behind her.

Q. Do you know which hand he put in his pocket to get the knife?      A. I cannot tell you that.

Q. After he had gone you found the knife did you??

A. Yes sir I found it there on the stairs. I dont know where he wnet after he had finished stabbing her.

EDWARD DACOSTA, a witness for the people sworn testified;-

I am an officer of police attached to the Street Cleaning Department . I was so attached on the third day of July last. On that day at about haldf past ten o'clock I arrested the defendant on the Northwest corner of 85th street and 3rd avenue. My attention was attracted to a crowd on that corner, and I crossed over and there I met a woman talking to a man whom she accused of having stabbed his wife. That woman was the last witness. I heard a rumor in the neighborhood that a ~~man~~ had stabbed his wife in the early part of the evening, and I asked the woman if this was the party, and being told it was I arrested him and took him to the station house. I saw people at the door of Boardman's house, at the time I arrested the defendant. On the way to the Station house I asked the defendant if he had stabbed his wife, and he said to me that that was his business and not mine. I laughed at him and told him I guessed it would be all right, and then he made answer without my asking him any more questions, that she was a damned bitch, and that was

the reason he stabbed her. That is all the conversation I had with him until I got to the Station House. He spoke intelligently with me.

Cross-examination.

I found a wound in this man's leg, possibly about three inches or two inches and a half long. The physician attended him at the Station House.

GEORGE DORAN, a witness for the people, sworn, testified, I am a police officer on special duty in the 27th Precinct. On the third day of July I received this defendant into custody at about 11 o'clock in the 88th st. police station. About two weeks after, I took him to court. On that same night I took him from the Station House to the hospital, as he was suffering from a wound in his leg. I asked him how he felt and he said he felt very well but that his leg was kind of stiff where the stab wound was. He asked me how his wife was, and I told him she wouldn't be out for a week. I said to him; "That was a pretty bad cutting you gave her, and he says; "she didn't get half what she deserved." I had no further talk with him.

## D e f e n s e .

HENRY COLVILLE, the defendant sworn, testified;

I am 33 years of age. I am a paper hanger by occupation. I was married to the complainant about ten years ago. Previous to the 3rd day of July I had been living at Far Rockaway, and my wife had been living at 1267 2nd av. . I saw my wife on the Monday before this assault. She told me that she was going to her mother's house in Westchester. I didn't see her from that time until the day of the assault. On that day I saw her in the hallway of Mrs. <sup>Madame</sup> ~~Bergen's~~ house. I went to Mrs. Bergen to ask her if she knew where my wife was stopping, and Mrs. <sup>Madame</sup> ~~Bergen~~ told me that my wife was going to her mother's in Westchester. I didn't expect to meet my wife at Mrs. Bergen's. I had been very friendly with my wife previous to this as she had brought me clean clothes, and I had visited her in the house in 2nd av. I suspected that she was about to pack up her articles and move off somewhere, and I was anxious to find out where she was going to. During two or three days preceeding the assault I had gone to Westchester and other different places to try and find my wife. On this evening, the third of July I was passing Mrs. <sup>Madame</sup> ~~Bergen's~~ house, and I thought I would go in there and inquire for her. While speaking to Mrs. <sup>Madame</sup> ~~Bergen~~ my wife came up-stairs and I says to her; "Where are you now, where have you been", and I asked Mrs. <sup>Madame</sup> ~~Bergen~~ if she would let us go into the house until my wife

should explain to me why she didn't go up home. Mrs. Bergen <sup>overheard</sup> says, "Oh no, don't come in here, it is better for you to go down in the street. They kept talking a while there and we went on downstairs, and that is all I really do remember until I came to the landing in the hallway. When I got up out of the hallway, I took the third Avenue elevated car and rode downtown. I saw my brother that evening. He scolded me for being drunk and I tried to explain to him what was the matter, and he wouldn't listen to me. I got the number of the house again and rode uptown to 85th street. I knew I had done something or that there was something wrong, and I afterwards found that I was all bleeding myself. I went there, to Mrs. Bergen's <sup>overheard</sup> house and I saw her standing by the door. I asked her where my wife was, and then a policeman came along and arrested me, and took me to the Station house. From the Station house I was taken to the hospital, and the doctor had my leg dressed.

- Q. You are charged here with cutting and stabbing your wife with intent to kill her. A. No sir I didn't intend to kill; that I can say for sure. I know I was fighting with her.
- Q. When did you first discover you were wounded?  
A. When I was riding down in the 3rd av. cars.
- Q. That was early in the afternoon? A. Yes sir.
- Q. You had been on friendly terms with your wife?  
A. Yes sir, although I wasn't living with her I was on friendly terms with her.

## Cross-examination.

- Q. Now on March 22nd you got out from a six months term in the penitentiary for kicking your wife in the stomach? A. Yes sir. Not for kicking her in the stomach. In the side. I didn't kick her at all; that is not true.
- Q. You were sent from the Special Sessions? A. Yes sir.
- Q. Did you assault her upon that occasion for affection? A. No sir, I forget now; it was a family quarrel.
- Q. You have assaulted her on six different occasions, and you were arrested for them, and every time you were innocent? A. No sir I have not been arrested six times. I think about three times.
- Q. She interceded for you several times? A. Yes sir.
- Q. You are a drinking man? A. Yes sir.
- Q. You went to this house with this knife didn't you? A. I have no doubt I had the knife in my pocket.
- Q. Don't you recollect having that knife? A. Yes sir, I always carried it.
- Q. You recollect all your movements after the assault? A. Yes sir.
- Q. And your movements before it? A. Yes sir.
- Q. Do you remember stabbing your wife? A. No sir, I don't remember of stabbing my wife at all.
- Q. Do you recollect saying to the officer when he asked you whether you stabbed your wife, that it was your business and not his. A. No sir, I don't remember

it. I may have said it but I dont recollect.

Q. Do you recollect sayingt to Officer Doran that your  
wife didn't get half what she deserved. A. No sir,  
I dont recollect anything about that at all.

Q. Do you recollect the officer taking you to the hospital?

A. Yes sir.

The Jury returned a verdict of

" Guilty of Assault in the First Degree"

-----

Indictment filed Aug. 8-1890

COURT OF GENERAL SESSIONS

Part I.

THE PEOPLE &c.

against

HENRY COLVILLE.

Abstract of testimony on  
trial New York, Aug. 21st  
1890.

1. The defendant, Henry Colville, was indicted for the crime of...  
2. The testimony of the witnesses...  
3. The defendant...  
4. The jury...  
5. The court...

1039

Tuesday 14th

to Mr. Brown

Dear Mrs. I will ask  
you again to not to  
appear against me I  
believe Gorge is ever sick  
and when he is in  
hospital wont you let  
up on me I am  
sory as I said and not  
trouble me more honest  
I will live 1/2 pay as  
I said

do right to me and tel  
me if you

1040

Wednesday 14th  
Trunks Brown

Dear Louise I will ask  
you again to not to  
appear against me I  
believe George is ever sick  
and father has had  
himself he is in  
hospital wont you  
up on me I am  
sorry as I said and got  
trouble me more honest  
I will live 1/2 pay as  
I said

do right to me and tell  
me if you

1041

Love to the children  
I may get 10 years  
if you appear against me

I have been indicted  
of assault in the first  
degree did you get  
my other letter I said  
would go in the news  
and leave my wife  
so I will

you can go to New York  
I will be for while  
if I get down  
~~deed~~ due due it  
we are in trouble  
enough now  
sent

1042

due right and let  
me know

yours  
Sherry

1043

District Attorney's Office  
City & County of  
New York

~~Mr Henry Cobble,~~

~~Case Mrs James,~~

Mr Welsh

File with papers.

SDC

~~Westchester~~

1044



People and Henry Collier

Dear Mr. Collier  
I have just received  
your letter of the 10th

and am glad to hear  
of your success

1045

Police Court— 57 District.

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

Louis Bobville  
of No. West Chester New York Street, aged 29 years,  
occupation Stone being duly sworn  
deposes and says, that on the 3 day of July 1887, at the City of New  
York, in the County of New York,

He was violently and feloniously ASSAULTED and BEATEN by Henry  
Bobville (now here) who wilfully  
cut and stabbed deponent in the  
left arm and breast with a knife  
then and there seen in the hands  
of the said Henry Bobville causing  
puny wounds

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 1 day }  
of August 1887. } Louisa Bobville

Wm. P. [Signature] Police Justice.

1046

Sec. 195-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Henry Colville*

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. *Henry Colville*

Question. How old are you?

Answer. *33 Years*

Question. Where were you born?

Answer. *Scotland*

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

Answer. *140 Broadway St. 3 Weeks*

Question. What is your business or profession?

Answer. *Paper Hanger*

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 in my family*

*Henry Colville*

Taken before me this

day of *August* 189*8*

*Wm. J. ...*

Police Justice.

1047

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 Oleynicus

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

Dated, Aug 1st 1890

[Signature]  
Police Justice.

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

Dated, ..... 189

..... Police Justice.

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

Dated, ..... 189

..... Police Justice.

1048

Police Court---

1199 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Louise Lobviller  
Henry Lobviller

2  
3  
4

Officer  
Cassidy

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated, August 1st 1890

Welder Magistrate.

Doran Officer.

27 Precinct.

Witnesses  
Alfonso Costa Street

No. 219 Street.

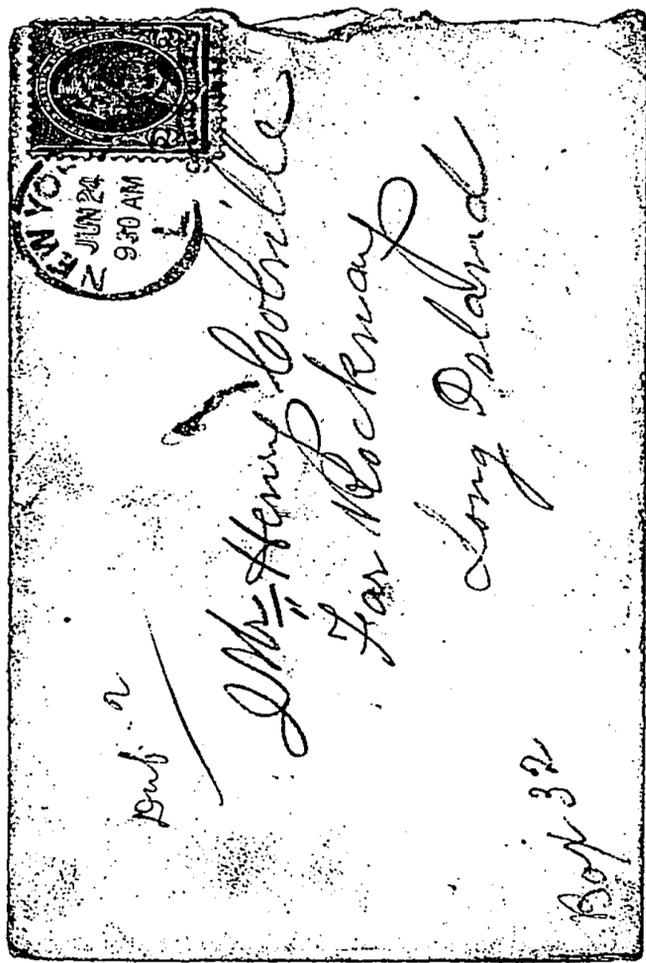
No. Street.

No. 2711 Street.

\$ 1000 to answer

Signature  
11/11

1049



1050

Hand. 2-1. No I

2367 2<sup>nd</sup> Ave

Dear Anne,

I received your letter  
by Postal. I went down to see  
Mr Sullivan. I could not find  
him for some time and  
could not take your letter with  
me. I thought I would have  
to write all the way but you  
sent you a clean sheet. I hope  
it will not be needed.

Mr Sullivan gave me \$100. instead  
of \$6.00. I asked him if you  
told him to give me that  
much. he said that would be  
all right. I can assure you it  
was a God send. I will not have  
to work so hard this week. I hope

you will not be surprised if  
 I have just read this morning  
 your letter about the letter  
 to you from that party. I was  
 surprised to find out to which  
 as he has been all the time.  
 I will enclose the letter if you  
 would like me to go and see  
 that woman and let me  
 know also send back the letter  
 with the address if you  
 did not say if the fair was  
 to be held now. I would like to  
 go down next Sunday if you  
 are there - write soon if you  
 want anything let me know  
 I'll be with love and  
 kisses  
 Yours affectionately  
 wife  
 L. O.

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

Henry Colville

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

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

The said

Henry Colville  
late of the City of New York, in the County of New York aforesaid, on the  
third day of July -- in the year of our Lord  
one thousand eight hundred and ninety, with force and arms, at the City and  
County aforesaid, in and upon the body of one Louisa Colville  
in the Peace of the said People then and there being, feloniously did make an assault  
and her the said Louisa Colville  
with a certain knife

which the said

in his right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent

her the said Louisa Colville  
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

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

The said

Henry Colville  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said Louisa Colville in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and her the said

with a certain

which the said

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

THIRD COUNT—

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

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

The said Henry Colville

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said  
Louisa Colville in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and  
her the said Louisa Colville  
with a certain knife

which he the said Henry Colville  
in his right hand then and there had and held, in and upon the arm  
and breast of her the said Louisa Colville  
then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and  
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
fully inflict grievous bodily harm upon the said Louisa Colville

against the form of the statute in such case made and provided, and against the peace  
of the People of the State of New York and their dignity.

JOHN R. FELLOWS,  
District Attorney.

1054

END OF  
BOX