

0757

BOX:

384

FOLDER:

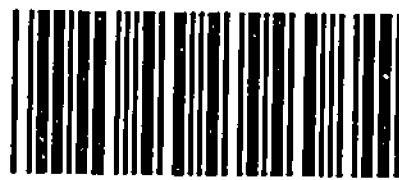
3585

DESCRIPTION:

Feldman, Emil

DATE:

02/12/90



3585

0758

109

Witnesses

Sam W. Clason

Counsel,
Filed, *12* day of *July* 1890
Pleads,

THE PEOPLE,

vs.

B
Emil Selman

ADULTERATED MILK.

(Chap. 183, Laws of 1885, Section 1, as amended
by chap. 577, Laws of 1886, Section 1; Section 186,
Sanitary Code, and Section 575 of the N. Y. City
Consolidation Act of 1882.)

JOHN R. FELLOWS.

District Attorney.

A True Bill.

Hammer No. 1000
July 13/90 Foreman.
Heavenly Justice
June 1890. R.M.

0759

City and County of New York, ss.

I *Samuel Dr. Clason M.D. of No 1 East 125th St* an
Assistant Sanitary Inspector of said city, being duly sworn, deposes and says, that on the
17 day of *January* in the year 1880,

at premises number *338 E 81st St* in the City of New York, the said premises being a place then and there where Milk was kept for sale, one *Emil Feldman* unlawfully did then and there keep, have and offer for sale three quarts of impure and unwholesome Milk, which had been and was then and there watered, adulterated, reduced and changed by the addition of water or other substance, or by the removal of cream therefrom, and that such impure, unwholesome, watered, adulterated or reduced and changed Milk was then and there, by the said *Emil Feldman*, unlawfully held, kept and offered for sale against and in violation of the provisions of the Sanitary Code, and of such Sanitary Code then and there, and at all times thereafter in force and operation, and especially against and in violation of the provisions of a section and ordinance of such Sanitary Code which was duly passed and adopted by the Board of Health of the Health Department of the said City of New York, and by said Health Department at a meeting thereof, duly held in said city, on the twenty-third day of February, 1876, in the manner and language following, to wit:

"Resolved, That under the power conferred by law upon the Health Department, the following additional section to the Sanitary Code, for the security of life and health be, and the same is hereby, adopted and declared to form a portion of the Sanitary Code.

"'No Milk which has been watered, adulterated, reduced or changed in any respect by the addition of water or other substance, or by the removal of cream, shall be brought into, held, kept or offered for sale at any place in the City of New York, nor shall any one keep, have or offer for sale in the said city any such Milk.'"

That said ordinance was thereafter duly published once a week, for two successive weeks, in the *City Record*, a daily official newspaper and journal published in said city, to wit, in the issues of such newspaper of the 24th day of February, 1876, and also of the 2d day of March, 1876, and that said ordinance was, at all times alleged herein, in full force and operation in said city and county.

Sworn to before me the 27th day of *January* 1880. *Samuel Dr. Clason*

[Signature]

Police Justice.

Police Court, 5th District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Samuel McLean

vs.

Emil Feldman

338 E 81st St

Affiant

Dated *Jan'y 27th* 18*90*

Justice.

Officer.

Witnesses
{ E J Leake Clerk
{ L C Bauman
305 West 5th

Grover Sells 30 to 35th St
Milk daily -
60% adobe water

0760

0761

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

District Police Court.

Emil Feldman

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. *Emil Feldman*

Question. How old are you?

Answer. *27 years old*

Question. Where were you born?

Answer. *Bohemia*

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

Answer. *338 E. 14 St. 3 years*

Question. What is your business or profession?

Answer. *Grocer*

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, I demand
a trial by jury*

Emil Feldman

Taken before me this

40

John J. [Signature]

Police Justice.

0762

Sec. 151.

Police Court.....5-10 District.

CITY AND COUNTY }
OF NEW YORK, } ss.

*In the name of the People of the State of New York ; To the Sheriff of the County
of New York, or to any Marshal or Policeman of the City of New York, GREETING :*

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 Samuel W. Mason mps
of No. 1 East 125th Street, that on the 17 day of January

1886 at the City of New York, in the County of New York,

One Emil Feldman held and offered for sale
at the premises No 338 East 81st three quarts
of adulterated milk in violation of Sanitary
Code of said city -

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 each and every of you, to apprehend the said Defendant and bring him
forthwith before me, at the 5th 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

27th day of January 1886

[Signature]
POLICE JUSTICE.

0763

338 E 81st

POLICE COURT 5th DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel Melason
vs.

Emil Feldman
338 E 81st

Warrant-General.

Dated Jan 27^E 1890

Magistrate.

Hill Officer.

The Defendant

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

Thomas Hill Officer.

Dated Jan 30 1890

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

27 Jan 338 E 81

0764

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 Jan 20 1890 Wm. J. Murray Police Justice.

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

Defendant
Dated Jan 20 1890 Wm. J. Murray 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.

0765

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

198 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Sam W. Glavin
vs.
Evel Keldman

2

3

4

Dated

1890

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

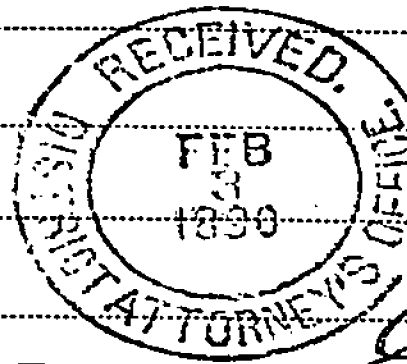
Street.

No.

Street.

\$

to answer



Wiley

0766

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Emil Feldman

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

Emil Feldman

(Chap. 183, Laws of 1885, § 1, as amended by Chap. 577, Laws of 1886, § 1.) of a MISDEMEANOR, committed as follows:

The said

Emil Feldman

late of the City of New York, in the County of New York aforesaid, on the
seventeenth day of *January* in the year of our Lord
one thousand eight hundred and eighty-~~eighty~~ *ninety* at the City and County aforesaid,
did unlawfully expose for sale three quarts of unclean, impure, unhealthy, adulterated
and unwholesome milk (the same not being skimmed milk produced in the said County),
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.

0767

SECOND COUNT:

(§ 186, Sanitary Code

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

Emil Feldman
of the CRIME OF VIOLATING THE SANITARY CODE OF THE BOARD OF HEALTH OF THE
HEALTH DEPARTMENT OF THE CITY OF NEW YORK, committed as follows:

The said

Emil Feldman

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully keep, have and offer for sale, three quarts of milk which had been and was then and there watered, adulterated, reduced and changed by the addition of water and other substances to the Grand Jury aforesaid unknown, and by the removal of cream, against and in violation of the Sanitary Code of the Board of Health of the Health Department of the City of New York, duly adopted and declared as such at a meeting of the said Board of Health, held in said city on the second day of June, 1873, as amended in accordance with law, and particularly in violation of a certain ordinance thereof, to wit: the one hundred and eighty-sixth section of said code, which is as follows, that is to say:

"No milk which has been watered, adulterated, reduced or changed in any respect by the addition of water or other substance, or by the removal of cream, shall be brought into, held, kept, or offered for sale at any place in the City of New York; nor shall any one keep, have or offer for sale in the said city any such milk."

Which said section and ordinance above set forth was, by a certain resolution, duly passed and adopted by the said Board of Health and by said Health Department, at a meeting thereof duly held in said city on the twenty-third day of February, 1876, added to and made a part of the said Sanitary Code aforesaid, and adopted and declared to form a portion thereof, pursuant to the authority and power conferred by law upon the said Board, and which said ordinance was thereafter duly published once a week, for two successive weeks, in the *City Record*, a daily official newspaper and journal published in the said city, to wit: in the issues of such newspaper of the twenty-fourth day of February, 1876, and also of the second day of March, 1876, and which said Sanitary Code so amended and altered was then and there, at the time of the committing of the offense hereinabove alleged, in full force and operation, and was by law declared to be binding and in force in said city, and which said section and ordinance above set forth was then and there in full force and virtue, having been in nowise altered, amended or annulled by said Board of Health, 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.

0768

BOX:

384

FOLDER:

3585

DESCRIPTION:

Fewer, John

DATE:

02/28/90



3585

Witnesses:

Off Fannington

297 Bond

Counsel,

Filed

day of

1886

Pleads,

Property of

THE PEOPLE

vs.

I

John Fawcett

Robbery, Second degree.
[Sections 224 and 229, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman.

~~James McKee~~

James McKee

James McKee

James McKee

0769

0770

Police Court— District.

CITY AND COUNTY } ss
OF NEW YORK,

Adolph Hegel
 of No *228 East 104th* Street, Aged *16* Years
 Occupation *Work in sugar factory* being duly sworn, deposes and says, that on the
23 day of *February* 1890, at the *6th* Ward of the City of New York,
 in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
 ponent by force and violence, without his consent and against his will, the following property, viz:

*Good and lawful money of the
 United States of the value of
 One dollar and twenty five cents*

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

*John Fewer (now here) for the reasons
 that the defendant accosted deponent
 on the Bowery and begged for alms
 and deponent took said money which was in
 from his pocket to give the defendant some
 money and while deponent held
 said money tightly in his hand
 the defendant forcibly and against
 deponent's will and consent opened
 deponent's hand and took said money
 and attempted to escape*

Adolph Hegel

day of *February* 1890

Sworn to before me, this *24*

Henry M. Madsen
 Police Justice.

0771

Sec. 188—200.

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer. *John Fever*

Question. How old are you?

Answer. *Twenty years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *139 Park Row*

Question. What is your business or profession?

Answer. *Miller*

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

Answer. *I am Guilty*

John Fever

Taken before me this

20th

day of *February* 1890

Henry J. ...
Police Justice.

0772

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

defendant

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

Dated *February 24th* 1890 *John H. H. H.* 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.

0773

323.

Police Court---First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Adolph Hegel
228 East 104th
John Fever

Robbery
Offence

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated February 24th 1890

Gorman, Magistrate.

Crystal and Farren, Officer.

6th Precinct.

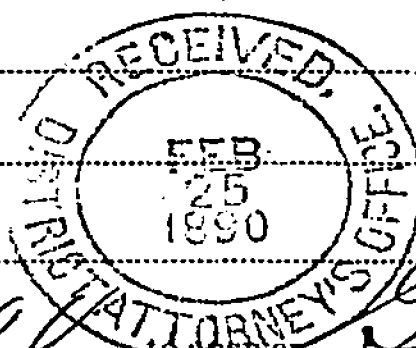
Witnesses: David Goldfarb

No. 228 E. 104th Street.

No. _____ Street.

No. _____ Street.

\$ 100.00



[Signature]

0774

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 Sawyer

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

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

The said *John Sawyer*,

late of the City of New York, in the County of New York aforesaid, on the *Twenty-third* day of *February*, in the year of our Lord one thousand eight hundred and *eighty-ninth*, in the *night* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *Adolph Siegel*, in the peace of the said People, then and there being, feloniously did make an assault, and

divers coins of the United States of America, of a number, said and denomination to the Grand Jury aforesaid unknown of the value of one dollar and twenty-five cents,

of the goods, chattels and personal property of the said *Adolph Siegel*, from the person of the said *Adolph Siegel*, against the will, and by violence to the person of the said *Adolph Siegel*, then and there violently and feloniously did rob, 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 A. Bellows,
District Attorney

0775

BOX:

384

FOLDER:

3585

DESCRIPTION:

Finck, David

DATE:

02/05/90



3585

0776

Witnesses;

Robert T. Vanfembran

Off. Surman

Counsel,

Filed

1890

Pleads,

THE PEOPLE

vs.

Daria Brinck

Murder in the Third degree.

[Section 498, Penal Code.]

JOHN R. FELLOWS,

District Attorney.

Sub 2 Feb 13 at 8th request

Weg

A True Bill.

Lawrence McKee

Feb 24/90 Foreman.

Ordered & executed

Feb 24

P. B. 22/24
333 Grand

0777

Police Court—3rd District.

City and County of New York, ss.:

of No. 73 Suffolk Street, aged 27 years,

occupation Keep a coffee & cake saloon being duly sworn

deposes and says, that the premises No. 37 Ridge Street, 13 Ward

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

building the ground floor of which

and which was occupied by deponent as a coffee and cake saloon

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

were BURGLARIOUSLY entered by means of forcibly opening

a door leading into said

premises with a key

on the 1st day of February 1886 in the night time, and the

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

A quantity of cigars valued

at four dollars

the property of Deponent

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

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

David Finch (now known

for the reasons following, to wit: on the said date de-

ponent securely locked and

fastened the doors and windows

of said premises and he is in-

formed by Officer Henry C. German

then present that he saw

the defendant enter the said

store go behind the counter and

found him concealed behind the

counter.

Robert Tieferbrun

Sworn to before me this 2nd day of February 1886 Charles W. Thorne Justice of the Peace

0778

CITY AND COUNTY { ss.
OF NEW YORK,

aged 27 years, occupation Police Officer of No.

12th Avenue Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this

day of

188

Henry C. Hermann

Charles W. Lantier
Police Justice.

0779

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

3 District Police Court.

David Finch 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. *David Finch*

Question. How old are you?

Answer. *23 years.*

Question. Where were you born?

Answer. *Austria*

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

Answer. *At home.*

Question. What is your business or profession?

Answer. *Sailor.*

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*
David Finch
mark

Taken before me this

day of *February* 1930

Charles W. Janitor

Police Justice.

0780

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 Anderson
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 2 1889. Charles W. Smith Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0781

Police Court

188 District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Robert [illegible]
David [illegible]

BAILED.

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

2

3

4

Dated

188

Magistrate

Officer.

Precinct.

Witnesses

No.

Street.

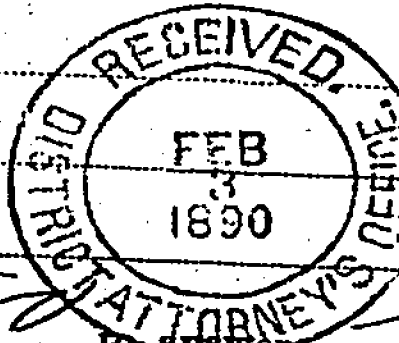
No.

Street.

No.

Street.

\$



[Signature]

Burg 3

0782

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

David Finck

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

David Finck

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

The said

David Finck

late of the Thirteenth Ward of the City of New York, in the County of New York, aforesaid, on the first day of February in the year of our Lord one thousand eight hundred and ninety, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the saloon of one

Robert Tiefenbrun

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

Robert Tiefenbrun

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

John R. Gellows,
District Attorney

0783

BOX:

384

FOLDER:

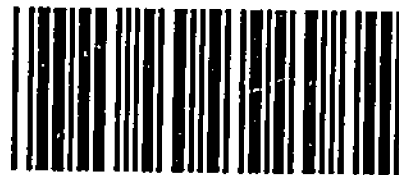
3585

DESCRIPTION:

Fineberg, Jennie

DATE:

02/06/90



3585

Witnesses;

Sarah Kornblith

off. Leary

637
C. J. Hamilton
180 of Appew
Counsel,
Filed
Pleads

6
dist of
1890

THE PEOPLE

vs.

B
Jennie Lindberg

Grand Larceny Second degree.
[Sections 528, 581 — Penal Code].

JOHN R. FELLOWS,

District Attorney.

Book I

Feb 18 1890 Nominees in court.

A True Bill.

James McKee

Feb 21/90 Foreman.

Spicer & Co. Spectator

0784

0785

Police Court

District.

Affidavit—Larceny.

City and County } ss.
of New York,of No. 94 Henry Street, aged 30 years,occupation Housekeeper being duly sworndeposes and says, that on the 20 day of January 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 night time, the following property, viz,

fourteen pair men's trousers, for
boys, of the value of thirty
six dollars \$ 36

the property of

in care

Dependent 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 Samuel Meberg (now

here) for the reason, that
on said night and date
Defendant was in the
employ of Dependent and
in said premises; that
then and there, Defendant
was seen by one Michael
Bathornick of 94 Henry St
taking away said property
on said date, from said
premises, and said property
was found in Defendant's
room at 172 Delancey St
wherefore Dependent now

of

Suborn to before me, this

18

Police Justice.

0786

Charges, said Defendant
with taking, stealing and
carrying away said
property for the reasons
before set forth and she
prays that Defendant be
dealt with as the Law
directs

Sworn to before me
this 30th day of Jan 1890

Charles N. Luntin
Police Justice

0787

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Bedenovich
aged *26* years, occupation *Gauner* of No.

94 Henry Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Frank Kienthal*

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

Sworn to before me, this *30* day of *Dec* 18*90* *Michael Bedenovich*

Charles N. Lantieri
Police Justice.

0788

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

3 District Police Court.

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

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Am not guilty
Jennie Fineberg
(mailed)

Taken before me this

day of

1889

Charles H. Stanton

Police Justice.

0789

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 *Jan 30th* 188 *Charles W. Hunter* Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

0790

BAILED.

No. 1, by Abraham Edelson

Residence 141 Division Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court, Third District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Sarah Louetta
94 Cherry
Jennie Melby

2 _____
3 _____
4 _____

Date Jan 30 1890
Trinity Magistrate

Leary & Stapleton Officer.

Mr. Bedenworne Precinct. 7

Witnesses No. 94 Cherry Street.

of Bowman

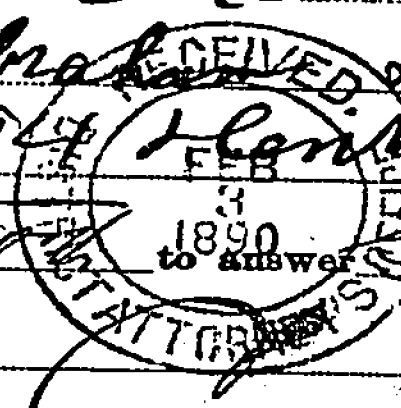
No. 178 Monroe Street.

Abraham Edelson

No. 94 Cherry Street.

\$ 5.00 to answer

Bailed



0791

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Jennie Fineberg

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

Jennie Fineberg

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

The said

Jennie Fineberg

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

Twenty-four pairs of trousers of the value of one dollar and fifty cents each pair

of the goods, chattels and personal property of one

Sarah Loenthal

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

0792

BOX:

384

FOLDER:

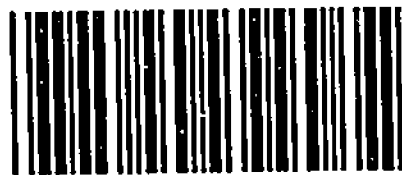
3585

DESCRIPTION:

Fitzgerald, John

DATE:

02/11/90



3585

0793

Witnesses;

John J. Conline

Counsel,

Filed

day of

1890

Pleads,

THE PEOPLE

vs.

John Fitzgerald

Grand Larceny Second degree.
[Sections 528, 529, Penal Code].

JOHN R. FELLOWS,

District Attorney

A True Bill.

James McKeen

Foreman.

July 12/90

James J. Conline
Suspended Sentence
James J. Conline

0794

Police Court—1 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

John J. Carlin
of No. 213 East 15th Street, aged 31 years,
occupation Signe Painter being duly sworn
deposes and says, that on the 29 day of January 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 day time, the following property, viz:

One Over Coat containing one Silver
Handkerchief, and one pair of gloves
of the value of forty dollars
the same being the property of deponent,
and one pair of pants of the value of
six dollars.

the property of Joseph Curran in 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 John Fitzgerald (known here)
from the fact that said defendant
was employed in said premises as
a laborer, and had access to the room
occupied by deponent and which
contained the aforesaid property
that on said day he left his employment
without giving any notice thereof
that after he left, deponent
discovered that said property was
stolen and carried away
that on the 30 day of January 1890 deponent
caused the arrest of said defendant
when the Handkerchief and gloves
above described was found in his
possession John Joseph Carlin

Sworn to before me, this
31 day of
January 1890
Charles D. Smith
Justice of the Peace.

0795

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Fitzgerald 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 Fitzgerald*

Question. How old are you?

Answer. *50 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *213 East 15 Street 1 year*

Question. What is your business or profession?

Answer. *Carver*

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

Answer. *I am guilty, and I am sorry*

John Fitzgerald
Guilty

Taken before me this

21

day of

January

1890

Police Justice.

0796

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 Reynolds

Five Five 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 Jan 31 1890 Colon B. S. S. S. 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.

0797

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court--- / 206 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John J. Conlin
vs.

1 *John Fitzgerald*
2 _____
3 _____
4 _____

Offence *Larceny*
Felony

Dated *January 31* 1890

Quinn Magistrate.

Forde J. Egan Officer.

4 Precinct.

Witnesses *Joseph Curran*

No. *213 E. 15th* Street.

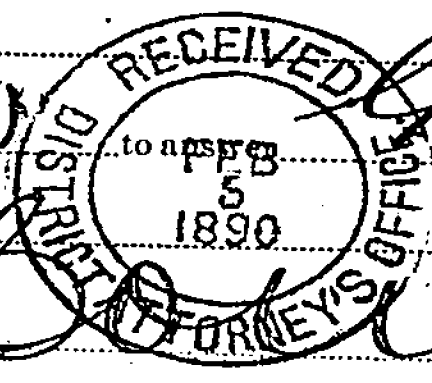
No. _____ Street.

No. _____ Street.

\$ *5.00*

to appear _____

1890



0798

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 Fitzgerald

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

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

The said

John Fitzgerald

late of the City of New York, in the County of New York aforesaid, on the *Twenty-ninth*
day of *January* 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
thirty-eight dollars, one hand-
kerchief of the value of one
dollar, and two gloves of the
value of fifty cents each and
one pair of trousers of the
value of six dollars*

of the goods, chattels and personal property of one *Joseph Curran*

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.

0799

SECOND COUNT—

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

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

The said

John Fitzgerald
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 overcoat of the value of
thirty-eight dollars, one handker-
chief of the value of one dollar,
two gloves of the value of fifty
cents each, and one pair of trousers
of the value of six dollars

of the goods, chattels and personal property of one

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

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

John Fitzgerald
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.

0000

BOX:

384

FOLDER:

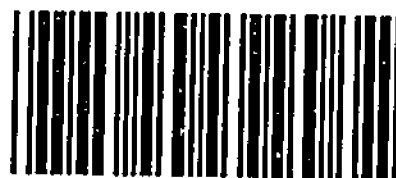
3585

DESCRIPTION:

Flint, Arthur

DATE:

02/26/90



3585

Burnand Perwin

Counsel,
Filed 26 Feb 1890
Pleads, Wymly m

THE PEOPLE

vs.

Grand Larceny/Second degree [Sections 528, 531, 552, Penal Code].

7

Arthur Flint

~~Wm. R. Fellows~~
JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman.
 March 3/90
 J. Henry D. Lee
 2408 78th St.

0001

0802

Police Court—

District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 288 Larch. Bernard Levinson
Street, aged 38. years,
occupation Merch. being duly sworn

deposes and says, that on the 5th day of February 1899 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:

Three dozen Woolen Shawls
of the value of Seventy dollars.

the property of deponent and Rev. Levinson
Co-partners

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 Arthur H. H. (u) William

He is (both now and) from the fact
that on said date deponent missed
said property from said premises
deponent is informed by William
H. H. H. that on said date he
saw the said deponents in Elton Street
having in their possession a bundle of
shawls, and identified the shawls as
the possession of the said deponents
as the same were stolen goods, which
had been taken from deponent's business.
Deponent therefore
prays that the said deponents may
be held to answer.

Bernard Levinson

Sworn before me, this
day of February 1899
at New York
Police Justice.

0003

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 17 years, occupation Messenger Boy of No.

102 Lewis Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Bernard L. L. L.

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

Sworn to before me, this

day of February 1889

Wm. Mahon

Police Justice.

H. J. Kramer

0804

Sec. 198—200.

District Police Court.

CITY AND COUNTY
OF NEW YORK } ss.

Arthur Flynn 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 ~~h~~ —; that the statement is designed to enable ~~h~~ — if he see fit to answer the charge and explain the facts alleged against ~~h~~ — that he is at liberty to waive making a statement, and that ~~his~~ waiver cannot be used against ~~h~~ — on the trial.

Question. What is your name?

Answer. *Arthur Flynn.*

Question. How old are you?

Answer. *18 Years*

Question. Where were you born?

Answer. *New York.*

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

Answer. *409 East 12th St. 2 Years*

Question. What is your business or profession?

Answer. *Messenger*

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

Answer. *I am not guilty. The charge against me is wrong. The property in question was stolen from a place in Howard Street where there had been a fire**Arthur Flynn*

Taken before me this

day of *February* 1890*John J. Sullivan*
Police Justice.

0805

Sec. 108-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

William Fere

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

Question. What is your name?

Answer. *William Fere*

Question. How old are you?

Answer. *18 Years*

Question. Where were you born?

Answer. *New York*

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

Answer. *349 East 3rd St. 3 Years*

Question. What is your business or profession?

Answer. *Printer*

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

Answer. *I am not guilty of the Charge*

— William Fere

Taken before me this

day of *February* 1891

Wm. Madison

Police Justice.

0007

274
Police Court---

254
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Benjamin Harrison
298 Church St
Arthur Hays
William Heise

W. H. H. H.
Officer

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *February 11* 18*90*

M. H. H. Magistrate

Shaw Officer

5 Precinct

Witnesses *William J. Kramer*

No. *102 Lewis* Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *5.00* to answer

0809

Police Court—

District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 388 Church Street, aged 38 years,
occupation Merchant being duly sworn

deposes and says, that on the 5th day of February 1899 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:

Fifteen Woven Shawls
together of the Value of Seventy
five dollars.

the property of

deponent and Ben. Lenson
Copartners

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 Arthur Henry Bowdler

from the fact that deponent caught
the said Henry on West Broadway
with the said property in his
possession, which deponent fully
identifies as the property stolen
shot and carried away from
deponent's premises No. 388 Church
Street

Bernard Lenson

Sworn before me, this
5th day of February 1899
at New York
J. M. Jackson Police Justice.

0810

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty. I received
the property from William Reis*

Arthur Flynn

At

Taken before me this

day of *February* 189*7*

Police Justice.

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

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

Dated July 11 1890 Wm. D. ... 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.*

0812

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court

District.

THE PEOPLE, &c
ON THE COMPLAINT OF

Benjamin Harrison

vs.
Arthur H. H. H.

2

3

4

Dated

February 9

1890

M. Mahony

Magistrate.

Shaw

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

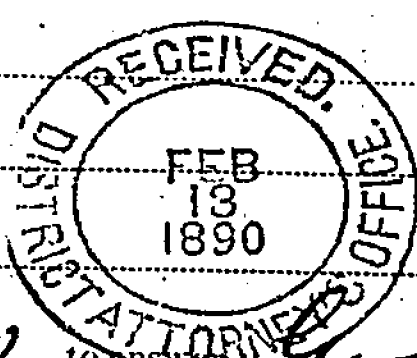
\$

1000

to

8

1000 bond & forfeit 9 per



08 13

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Arthur Sink

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

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

The said *Arthur Sink*.

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

five shanks of the value of
five dollars each.

of the goods, chattels and personal property of one *Samuel Larrison*.

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.

0014

SECOND COUNT—

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

Arthur T. Smith
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said *Arthur T. Smith*.

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,

*fifteen shares of the value of
five dollars each.*

of the goods, chattels and personal property of one *Bernard Serrin*,

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

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

Arthur T. Smith

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.

08 15

BOX:

384

FOLDER:

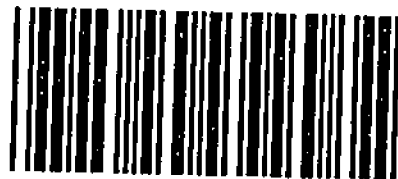
3585

DESCRIPTION:

Fornecello, Michael

DATE:

02/11/90



3585

Witnesses:

off. Curran

de Baril
21/6/83 *B & A*

Counsel,

Filed

Day of

1883

Pleads,

McGuire

THE PEOPLE

vs.

Michael Somecello

CONCEALED WEAPON.

(Section 410, Penal Code).

Feb 20/1883

JOHN R. FELLOWS,

District Attorney.

A True Bill.

James McKee

Foreman.

Part IV February 20/90
pleads guilty

Pen 30 days

0016

0817

Police Court, / District.

City and County } ss.
of New York,of No. 6th Precinct Street, aged years,

occupation being duly sworn, deposes and says,

that on the 30th day of January 1890 at the City of New

York, in the County of New York Michael Tornesello (now here)

did with intent to use, carry

concealed or possessed an in-

strument or weapon of the kind

commonly known as a dagger,

dick or dangerous knife in violation

of Section 410 Penal Code

for the reasons that deponent

arrested the defendant on sus-

picion of being implicated in a

burglary and upon searching

his person found the dick

dagger or dangerous knife upon

his person

I Worn to before me 3 John J. Curran
this 30 January, 1890 3John J. Curran
Police Justice

0018

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

7 District Police Court.

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

Question. What is your name?

Answer. *Micha Fornicello*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *50 Bowery*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not Guilty*

Mike Fornicello

Taken before me this

day of

188

John J. Brown

Police Justice.

08 19

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

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

Dated *Jan 30* 18*90* *John J. Conner* 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.

0820

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court---

208 District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John J. Curren
vs.
Michael J. Tarnes

2 _____

3 _____

4 _____

Offence
Carrying
dangerous weapon

Dated *Jan 30* 18*90*

Gorman Magistrate.

Curren Officer.

6 Precinct.

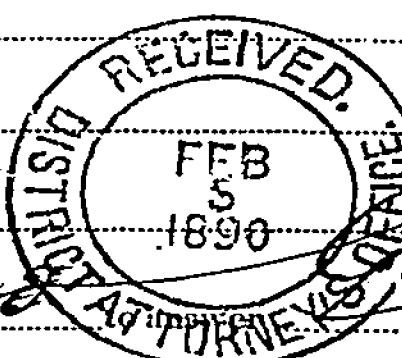
Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *1000*



[Signature]

W. W. W. W.

0021

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Michael Fornecello

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

— *Michael Fornecello* —
of a FELONY, committed as follows:

The said *Michael Fornecello* —
late of the City of New York, in the County of New York aforesaid, on the *thirtieth*
day of *January* in the year of our Lord one thousand eight hundred and
~~eighty-ninety~~ at the City and County aforesaid, with force and arms, feloniously did
furtively carry, concealed on his person, a certain ~~instrument and weapon of the kind~~
~~commonly known as~~ *dirk, dagger and dangerous knife*
with intent then and there feloniously to use the same against some person or persons to the
Grand Jury aforesaid unknown, against the form of the statute in such case made and provided,
and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

— *Michael Fornecello* —
of a FELONY, committed as follows:

The said *Michael Fornecello* — 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, feloniously did possess a certain ~~instrument~~
~~and weapon of the kind commonly known as~~ *dirk, dagger and*
dangerous knife by him then and there concealed, and furtively carried on his person,
with intent then and there feloniously to use the same against some person or persons to
the Grand Jury aforesaid unknown, against the form of the statute in such case made and
provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0822

BOX:

384

FOLDER:

3585

DESCRIPTION:

Forrester, John

DATE:

02/06/90



3585

0023

BOX:

384

FOLDER:

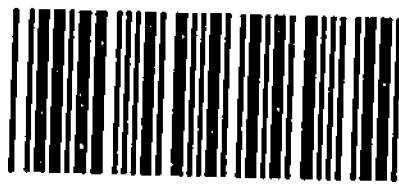
3585

DESCRIPTION:

O'Day, Patrick

DATE:

02/06/90



3585

0024

BOX:

384

FOLDER:

3585

DESCRIPTION:

Gleason, Edward

DATE:

02/06/90



3585

For pleading Feb 14 1890. ^{W.H.H.}
 This case must be examined before
 being again put on calendar 1890

[illegible]

POOR QUALITY
ORIGINAL

0026

Witnesses;

David Anderson
Off. Hayes

Upon my report an-
nounced hereto I recom-
mended the dismissal
of the indictment
against every one of
the within named
defendants
Seated N. Y. April 10, 1890
Edward Grosse
Deputy Assistant

From an examination
of the within case I am
satisfied the Indictment
should be dismissed
Each one of the defendants
Wm. J. Sullivan
Deputy District
May 25-92

23

Counsel,

Filed

Pleads,

9-3 day of July 1890
C. H. Quinn 14

THE PEOPLE

vs.

John Forrester
Patrick O'Day
Edward Gharzon

Grand Larceny 2nd degree
[Sections 528, 531, 573 Penal Code]

JOHN R. FELLOWS,

District Attorney.

A True Bill

J. Lauria McKee

Foreman.

Seal 1890

For pleading - 14 1890.

14

0027

Police Court

District.

Affidavit—Larceny.

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

David Anderson

of No. 231 West Street, aged 32 years,
 occupation night watchman being duly sworn
 deposes and says, that on the 13 day of March 1889 at the City of New
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession
 of deponent, in the nighttime, the following property, viz:

One wooden box containing
 cloth of the value of about
 Fifty dollars

the property of Mr. Cook and charge of
 deponent as night watchman

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 John Forrester, Patrick O'Day,

William Humphrey, Edward Gleason
 (all now here) and three other men
 not arrested who were in company
 with each other and acting in
 concert for the reasons that at
 about the hour of 11.45 on the night
 of said day said property was on
 Pier 26 North River and deponent
 saw said defendants now here and
 those not arrested coming from
 said pier in company with
 each other having said property
 in their possession

David Anderson

Sworn to before me, this

14 day

1889

of

March

1889

Police Justice.

0020

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer. *John Forrester*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *44 Lighthouse Street, 7 months*

Question. What is your business or profession?

Answer. *Longshoreman*

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

Answer.

*I am not guilty of the charges
I have been*

John Forrester

Taken before me this

*14th*day of *March* 189*9*

Police Justice.

0829

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *Patrick O'Day*

Question. How old are you?

Answer. *17 Years*

Question. Where were you born?

Answer. *New York*

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

Answer. *476 Greenwich St 5 Years*

Question. What is your business or profession?

Answer. *Driver*

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

Answer. *I am not guilty of the Charge*

Patrick O'Day

Taken before me this 1st

day of March 1881

W. J. Dwyer
Police Justice.

0030

Sec. 198-a-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

William Murphy 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.

William Murphy

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

New York City

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

Answer.

37. Desborough Street, about 18 months

Question. What is your business or profession?

Answer.

Shoe 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 of the charges

William C Murphy

Taken before me this

14

th

day of *March* 188*9*

Police Justice.

0031

Sec. 193-200.

CITY AND COUNTY }
OF NEW YORK, } ss.First District Police Court.

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

Question. What is your name?

Answer. Edward Gleason

Question. How old are you?

Answer. 18 years

Question. Where were you born?

Answer. New York City

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

Answer. 161. Hudson Street; 7 months

Question. What is your business or profession?

Answer. Printer.

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

Answer.

I am not guilty of the charge
Edward Gleason

Taken before me this

14thday of March1888

Police Justice.

J. J. Jones

0032

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before James J. Curves a Police Justice
of the City of New York, charging Patrick O'Hay Defendant with
the offence of Grand Larceny

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

We, Patrick O'Hay Defendant of No. 126 Greenwich
James J. Hughes Street; by occupation a Driver
of No. 10 Madison
Street, by occupation a Real Estate Broker Surety, hereby jointly and severally undertake that
the above named Patrick O'Hay Defendant
shall personally appear before the said Justice, at the 1 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of five
Hundred Dollars.

Taken and acknowledged before me, this

day of March 1887

U. J. Curves POLICE JUSTICE.

Patrick O'Hay
James J. Hughes

0033

CITY AND COUNTY } ss.
OF NEW YORK,

Sworn to before me this
day of March
1881
Justice

James J. Hughes
the within named Bail and Surety being duly sworn, says, that he is a resident and
holder within the said County and State, and is worth *ten* Hundred Dollars,
~~exclusive of property exempt from execution~~, and over and above the amount of all his debts and
liabilities, and that his property consists of *house and lot of*

land situated at 10 Madison
St. and valued at Eighteen Thousand
Dollars free.

James J. Hughes

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Underlying to appear
during the Examination.

vs.

Taken the day of 188

Justice.

David Anderson	}	Charged with
ago		Grand Larceny
John Forester		March 21st 1889
Patrick O'Roy		Before Hon
William Murphy		Maurice J. Power

Mr. Blake defendant's counsel
 calls John Forester to make a
 statement in relation to the charge
 made against him. ^{and} says as follows
 I am not guilty I have got business
 around the dock at night time
 about that time I have been employed
 around these docks for the past
 3 years and that night when
 I came off of the dock I stood
 in West Street and I took a walk
 as far as north Moore & Hudson
 Street, and 30 men were standing
 there and were fooling around
 there and they all ran when a
 policeman came around and
 ran with them.

0035

Q Did you go there that night to work?
A Yes sir.

Q Did you see anybody there with a
case of goods in their possession?
A Yes sir.

Q How many men were there when you
got there?

A 50 or 60 men at that time.

Q And why did you commence to run?
A They all ran because the policeman
came.

Q Did you see the watchman there that
night when you were there?
A Yes sir.

Q Why did you run?

A Because we didn't want to get
caught standing on the corner at that
hour of the night.

Q Where did you get arrested?

A Franklin and Washington Street
about half a block.

Q How long you worked around there
for 3 years?

A Yes sir on and off.

0036

5

Q Had you work from Frank & Co?

A Yes Sir for 7 or 8 months.

Q Had you work for Ratoched & Co?

A Yes Sir long months.

Q You were making up the stealing of
a case of dry goods?

A Yes Sir.

Q And took no part in it?

A Yes Sir.

By the Court

Q Did you go on the dock that night?

A Yes Sir.

Q Had you been for work?

A Yes Sir.

Q Were you refused?

A Yes Sir.

Q After you left the dock where did

you go?

A Went to Washington & went to more

street and stood there.

Q In whose company did you go?

A A couple of longshoremen

R Smith is the name of one I don't

mean his first name and I don't

know the name of the other one those
seen them around the dock pretty often
you know does he live?

A In Washington Street I don't want
the number I have known him over
a year.

What else were you with?
Anybody.

How far is that from the corner of
Beach Street?

A One block

And you say there were about 30 men
standing there?

A Yes sir

Did all of them run?

A Yes some run and some walked
some went in different directions
and some went into a liquor saloon

What officers arrested you?

A Officers Hayes.

What did you say to Officer Hayes
when he stopped you?

A I didn't say anything I told him I
didn't do anything.

0030

Statement of Patrick O'Day
of place to the Court your connection
with this matter.

A. I came out of the house about
1/4 past 11 o'clock and as a usual
thing I went down there to look
for work. I went across the street to get
a drink, and this was on the corner of
North Moore Street and the old dominion
dock & at Beach Street, and this
watchman was running like a wild
man with a pistol in his hand and
saying I will shoot you and I ran
across the street with the rest of
the men who were there, and that is all
I know.

I do not know anything about the case
of goods in question.

And as to making a case, and I was
never arrested in my life before
I was there after me around the
neighborhood.

Ayes in answer to the question
By the Court.

0839

6

of where dayuresi 1

A 420 Washington Street

of where dayuresi this with 1

A 375 Market

of where dayuresi go on that down that right 1

Amesbury, down to the corner of North
Moore Street

of where went with you 1

A Ed Gleason

of where dayuresi meet here first 1

A Hubert & Beach Street

of where went with you 1

Amesbury Street

of where you and he didn't go across to
the old downtown dock 1

Amesbury

of where dayuresi go 1

A North Moore & Washington Street

of where place 1

A Dr. R. Ryan

of where dayuresi go in this 1

Amesbury & the local area. I had a
glass of seltzer. There were only
in this from about 35 minutes

0040

2

Q Where did you go when you came out
of there?

A North Moore Beach Street

Q How many did you go to the dock?

A About a block away when we saw
the waterman coming;

Q Did he have a pistol?

A Yes Sir

Q What did he do or say?

A He said I will shoot you. I turned around
with Gleason and we ran up
North Third to Duval and through
Duval to Washington

Q And who started you there?

A The officer

Q How far did Gleason go with you?

A The same way

Q Was he stopped by the same officer?

A Yes Sir I cannot say what officer
stopped him

Q How far with you when Anderson came
forward with a pistol?

A Yes Sir

AA

0041

8

Statement of William Murphy.

Where do you reside?

At 342 Broadway.

What is your business?

A shoe maker.

Do you remember the night in question?

A yes Sir

State to the court the circumstances under which you were treated?

A I was to the theatre that night and was coming home and I was going down to Broadway Street I was at Broadway and West Street and just as I got to the corner of West & Broadway Street there was a crowd of men coming and I heard somebody, I never knowed out he has a pistol, and I saw a crowd running and I ran also and ran into the opposite door and I said there is a fight down there and that is all I know of it.

When you commenced to run was anybody with you?

A No Sir I was alone.

9

Q. Have you been in that dock that night?
 A. Yes.

Q. Have you been with anybody that had
 a case of goods in his possession?
 A. Yes.

Q. Do you know anything about the stealing
 of this case of goods that night?
 A. Yes.

By the Court.

Q. Were you in work?

A. I used to work for Harman & Son until
 last summer.

Q. Where had you worked since then?

A. Driving a truck.

Q. For who?

A. Mr. Noah there is a factory & Son
 one here is at corner of Perry & Green
 Street.

Q. Where do they stand?

A. Barclay Street. I don't know the
 exact number.

Q. How long did you work for them?

A. Six months until September.

Q. What have you been doing since?

0043

10

A Have been loading oil since at the
Hansen Street dock

Q Are you employed there during the day?
A Yes Sir

Q Until what hour of the night?

A Same there when I feel like it

Q About what hour did you quit that
night?

A Eleven

Q What theatre did you go to?

A Deane & Hale's Theatre

Q What time did you come out?

A Eleven

Q And when you came out what direction
did you ^{you} come in?

A Right down the Bowery to Chatham
through Chatham to Franklin Ave to
West Street where I saw these men
running and I am sure I didn't know
what was the matter I didn't want
to get shot.

Q How many men were there?

A I cannot say

Q Were these men running towards you

0044

11

Q What time?

A Yes Sir.

Q Where did you see Anderson?

A I didn't see him.

Q What made you run?

A When I heard the cry of Behar a pistol
I saw I didn't want to get shot.

Q How far did you run?

A 25 or 30 feet.

Q Do you know the names of the officers
that slapped you?

A Yes Sir.

Q Who did you go to the store ^{with} alone?

A Alone.

Q Did you meet anybody there that you
knew?

A Yes Sir.

Q Did you inform anybody that night
that you were going to the store?

A About that I did.

Q What was the play that you saw that
night?

A Light O' London.

Q Any other play? A Yes Sir.

0045

12

Q Do you remember any of the actors?

A Yes.

Q For the names of any of the actresses or actors?

A Yes.

Q What time did you get there?

A At 11 minutes to 8 o'clock.

Q How many acts were there?

A Four, I believe.

Q What was the name of name of the principal actor or actress?

A I don't know. I didn't know any program. I didn't get any.

Q What part of the house did you go in?

A The gallery.

Q What did you pay?

A 10 cents.

Q How often did you go there?

A I generally go there every week.

Q How often did you see that play?

A The first time I ever saw it.

Q Were you there last week?

A Yes.

Q What night?

0046

13

A Tuesday:

gave you there a week before 5
Apropos.

gave you before that 5.

Ayes. I think it was.

gave you night 5.

A. I think it was Tuesday night, the
time I was there last I saw the wags
of my own



0047

14

Statement of
Edmund Gleason,

Questioned again: 5

A 101 Hudson Street

Q Where are you employed?

A My last employment was in the
Print and is printing clothing. I look
guard you live at home with your
mother?

Answer:

Q Do you remember the night you
were arrested?

Answer:

Q State the circumstances?

A The same as I have already said
I was at work & Hubert that I was
out of work and I heard you could
get work around the docks at good
pay I started to go there & I met O'Day
and we went into a saloon & had a
drink & a few at he testified
we were there about 5 minutes
talking and I heard the bell
ring for the men to go to work
and we walked over to about 50

feet from the dock. We also saw 3000
 men running and some men being
 shot and falling. I saw a man
 shot who was running and
 some men were running after
 them and when we heard that
 I didn't want to get shot and we
 saw the men were running in the
 direction of Barclay Street. We
 ran in the same direction.

Q. You were arrested while running?
 A. Yes Sir.

Q. Were you on the dock that night?
 A. Not within fifty feet of it.
 Q. Did you see anybody that had a case
 of dry goods that night or were you
 with anybody that had?

A. Yes Sir.

Q. Do you know anything about the
 stealing of the case of dry goods?

A. Yes Sir.

By the Court

Q. If you say you tried to get employment
 on the dock?

Ayes Si

Q where do you work previously?
 A Manhattan Fruit corner of
 West 4th Washington Street. As they moved
 to 600 Ave and they would not pay
 me enough and I'd not go with them
 Q How long you were in this room driving
 when you heard the bell ring?

Ayes Si

Q How long was the bell ringing
 before you started?

A 10 or 15 minutes

Q After the bell rang?

Ayes Si

Q Do you know who these men were
 that ran?

A No Sir they were 10 feet away from
 us when they passed us by.

and some men followed them

they on street shot and we

turned on our heels and ran we

didn't wait to get shot

Q which way were these men running
 A They ran up Broadway Street towards

19

Hudson

Q and how far did you run before
you were stopped?

A I cannot say a policeman chased
me and pulled his club and fired
it at me

Q was O'Reay with you?

A No he was arrested and brought

on after me, O'Reay and I separated

Q when O'Reay left you which way did
he go to?

A I cannot say

Q did you make any statements to the
policeman when he arrested you?

A I asked him what I was arrested for
and he said he didn't know

Q how far was Anderson away from
you at the time you saw him chasing
these men?

A 50 feet

Q after that he say?

A He halted and then they ordered O'Reay

and these 4 men kept on running

Q Had the men passed you at the

0851

18

Have your head Ansenen say the
Ansenen

[Signature]

0052

19

David Anderson the complainant
not being duly sworn deposes and
says:

I don't know what became of
the men that you saw running
down West Street day?

Across I ran through North Moore
Street

I saw many men were standing
at the corner of North Moore Street
when these men ran through it
I didn't see any at all

I and when they got to the corner of
Washington Street what occurred
then?

A policeman stopped and there
were four policeman there right
away

I didn't see one of the men tattoo
then?

Across at the corner of Washington
& North Moore Street

I who was it?

I cannot tell

0053

20

Q Who was he taken by?

A Officer Evans.

Q And you are sure that that is one
of the 7 men you saw grasping around
the tapes?

A Yes Sir

Q Of those 7 men you saw him turn towards
North Moore Street and

A Yes Sir

Q Where did the other 3 men go to?

A Down Washington Street

Q How far did you follow them?

A Until the policeman got hold of
them one block

Q Did you see the policeman take any
items?

A No Sir, only this one.

Q And you don't know if this man was
one of the same men that was
found on the one that was brought
back by the policeman?

A No Sir

Q Then as a matter of fact you can't
swear that this was one of the

0054

11

men?

Answer:

I did not see any body else running except
these 7 men?

Answer:

I did not see any man on the corner
of North Moore Street at night?

Answer:

Could any man have been there
without you seeing them?

Answer: There may have been

I do not mean to say that at 12 o'clock
at night if you were running through
Centre Street after a party of 7

men do you mean to say if you
kept your eye only on them that

you could tell in the dark how
many people were standing on
the corners?

Answer: I cannot state that

0055

POOR QUALITY
ORIGINAL

in which the defendant has been charged with the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

defendants *Inverton* and *Wright* 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 *each* and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *March 22* 188*9* *W. D. Cove* Police Justice.

I have admitted the above-named *Patrick O'Ray* to bail to answer by the undertaking hereto annexed.

Dated *March 23* 188*9* *W. D. Cove* Police Justice.

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

Dated _____ 188 _____ Police Justice.

0056

POOR QUALITY
ORIGINAL

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

David Anderson

23rd West St

John Forrestal

Patrick O'Day

William Dwyer

Edward Gleason

Officer Hayes

Witnesses

David Anderson

John Forrestal

Patrick O'Day

William Dwyer

Edward Gleason

Officer Hayes

Witnesses

David Anderson

John Forrestal

Patrick O'Day

William Dwyer

Edward Gleason

Officer Hayes

Witnesses

BAILED

No. 1, by Michael A. Glanney

Residence 6 State Street

No. 2, by James J. Hughes

Residence 10 Madison St

No. 3, by Martin Maher

Residence 2119-1st Avenue

No. 4, by John Brennan

Residence 414 Washington Street

Robert

David Anderson

Off. Hayes

Dated March 14 1889

Lawler

Magistrate.

Hayes

Officer Hayes

Witnesses

David Anderson

John Forrestal

Patrick O'Day

William Dwyer

Edward Gleason

Officer Hayes

Witnesses

David Anderson

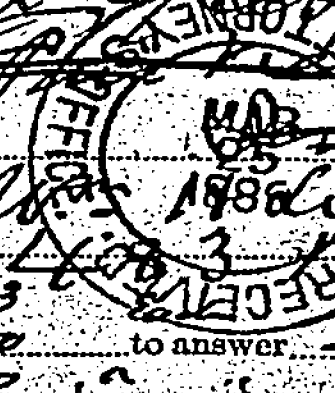
John Forrestal

Patrick O'Day

William Dwyer

Edward Gleason

James J. Hughes
and back to his home
in the evening of April 26, 1889



Court of General Sessions

The People

vs.

John Ferrester,
Patrick O'Day and
Edward Gleason.Report.

The defendants are indicted for Grand Larceny for having stolen fifty yards of cloth, the property of one David Anderson.

I have personally examined the witnesses for the prosecution. Their statements made before me are annexed hereto.

These depositions and the police court minutes show that the People have no proof to sustain the indictment herein as against any of the defendants.

David Anderson is the only witness who was in a position to identify the individual or individuals who attempted to remove the said cloth from the

0058

Old Dominion Line dock, but he declares himself unable to do so. The officers who arrested the defendants, know nothing of or about them, except that they saw them run and that Anderson made a charge against them. No stolen property was found upon them.

There is no evidence whatever in possession of the District Attorney to prove the allegations of the indictment and I therefore, recommend that the same be dismissed as against all three above named defendants.

Dated New York, April 10, 1890.

Edward Grose

Deputy Assistant

0059

David Anderson, 201 West Street
 Watchman on the Old Dominion
 Fire Dock. On the 18 of March, 1889,
 at about a quarter to twelve
 o'clock at night, I was standing
 on West Street, in front of, but
 about ninety feet off the said
 dock, when I saw one or seven
 men come out of the said
 dock, one of whom carried
 a horse. When I started to per-
 suade them, I was about a
 block and a half away from
 them. Three of the said men
 ran down West Street, and
 the rest ran up North Moore
 Street. I followed those that
 ran into the last named
 street, and at the corner of
 Washington Street, I met
 officer ~~Edwards~~ Evans, who joined
 in my pursuit of the said
 men, and while doing so,
 he drew his pistol and called
 to the said men, ~~to~~ to
 stop or he would shoot.
 I cannot say whether other
 men were running in

0060

North Moore Street at the time, be-
cause I did not pay any
attention to any one but the
man that I pursued as afore-
said. I saw the three defend-
ants go into the dock at about
a quarter after eleven o'clock.
That was the time, when the
longshore men ^{went} ~~go~~ to work
on the ship. I am unable
to identify any of the de-
fendants as the man who
carried the aforesaid box
out of the said dock. The de-
fendants have been working
on the said dock on and off.

D. Anderson

Edwin W. Evans, patrolman
5th precinct. On the 18th of March,
1889, between eleven and twelve
o'clock in the night, while I was
on duty in North Moore Street,
near Washington Street, I heard
the cry: "Police!" and saw the
defendants come running up
North Moore Street. I arrested the

0061

defendants O'Day, and officers
Hoyle and Hardy seized the
defendants Forrester and Gleason.
We brought them to the Station
House, where Mr. Anderson
preferred a charge of larceny
against them, upon which
they were held. I do not know
any thing of my own know-
ledge of the truth of said charge.
There was no stolen property
found upon any of the said
defendants.

Edwin N. Evans

0062

Court of General Sessions

The People

vs
John Forester
Patrick O'Day
and Edward Gleason

REPORT.

For the District Attorney.

Dated April 10 1889

Edward Groves

Deputy Assistant

0063

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 Bowdler, Patrick O'Day and
Edward Ferguson*

The Grand Jury of the City and County of New York, by this indictment,
accuse *John Bowdler, Patrick O'Day and
Edward Ferguson*

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

The said *John Bowdler, Patrick O'Day
and Edward Ferguson*, all

late of the City of New York, in the County of New York aforesaid, on the *13th*
day of *March*, in the year of our Lord one thousand eight hundred and *eighty*
nine, at the City and County aforesaid, with force and arms,

*fifty yards of cloth of the value
of two dollars each yard, and
one box of the value of one
dollar,*

of the goods, chattels and personal property of one *David Anderson.*

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.

0064

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said ^{Edward Gleason}
~~John Somerset, Catharine O'Day and William Dwyer~~
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said ~~John Somerset, Catharine O'Day and~~
~~Edward Gleason~~, all

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,

fifty yards of cloth of the
value of Two dollars each yard,
and one box of the value of
one dollar,

of the goods, chattels and personal property of one *Dana Anderson,*

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

unlawfully and unjustly, did feloniously receive and have; the said ~~John~~
~~Somerset, Catharine O'Day and Edward Gleason,~~

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.

0065

BOX:

384

FOLDER:

3585

DESCRIPTION:

Fox, John H.

DATE:

02/21/90



3585

0066

Witnesses;

off. billon

221
P. J. L.

Counsel,

Filed

day of

18

Feb 90

Pleas,

Guilty

THE PEOPLE

vs.

H
John H. Fox

Grand Larceny Second degree
[Sections 528, 58/53, Penal Code]

JOHN R. FELLOWS,

District Attorney.

Pz Dec 27. 1890
Arrested & acquitted.

A True Bill.

Samuel W. Keen

Foreman.

0867

Police Court

2

District.

Affidavit—Larceny.

City and County } ss.:
of New York,

John C. O'Callaghan
 of No. 161 West 19th Street, aged 33 years,
 occupation Carpenter, being duly sworn
 deposes and says, that on the 9th day of April 1889 at the City of New
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession
 of deponent, in the day time, the following property, viz:

One winter
 overcoat of the value of twenty eight dollars
 and one extension wrench of the value
 of fifty cents; and one chisel
 of the value of fifty cents; all of
 the value of twenty nine dollars.
 \$ 29-

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 John H. Fox, (now here)

under the following circumstances: The
 said property was kept in deponent's
 shop at 144 and 146 West 19th
 street in said city on said date, and
 defendant was working there and
 he had access to the said property
 and he was at the said premises
 on said date. Deponent caught
 defendant on this day with the
 said chisel and wrench in his possession
 and defendant had also in his possession
 a pawn ticket for said coat, and
 defendant admitted that he had
 committed said larceny.

John C. O'Callaghan

Sworn to before me, this

12 day

1889

Police Justice.

0060

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. John H. Fox

Question. How old are you?

Answer. 30 years

Question. Where were you born?

Answer. England -

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

Answer. 31 Montrose St - Pineel Heights

Question. What is your business or profession?

Answer. Computer

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
exoneration?

Answer. I am not guilty
John H. Fox

Taken before me this
day of February 1982

Police Justice

0069

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 A. Jof

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 Feb 12 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.

0870

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court---

249
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John C. O'Callaghan
161 West 19th
John H. Fox

2 _____
3 _____
4 _____

Larceny
felony
Offence

Dated *Feb 12* 18*90*

Hogan Magistrate.

Giblin Officer.

20 Precinct.

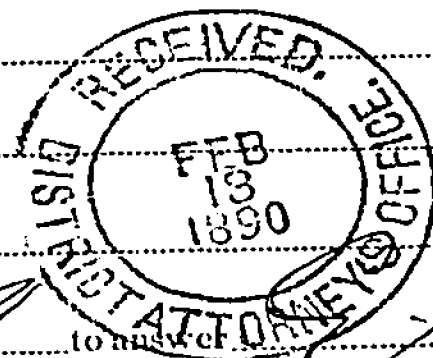
Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ _____



Corn

0071

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John W. Fox

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

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

The said

John W. Fox

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

one overcoat of the value of twenty-eight dollars, one wrench of the value of fifty cents and one chisel of the value of fifty cents

of the goods, chattels and personal property of one

John C. O'Ballaghan

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.

0072

SECOND COUNT—

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

John N. Fox
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

John N. Fox
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 overcoat of the value of
twenty-eight dollars, one wrench
of the value of fifty cents and
one chisel of the value of fifty cents*

of the goods, chattels and personal property of one

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

John C. O'Ballaghan
unlawfully and unjustly, did feloniously receive and have; the said

John N. Fox
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.

0873

BOX:

384

FOLDER:

3585

DESCRIPTION:

Frawley, John

DATE:

02/14/90



3585

08.74

Witnesses:

Anthony Pote

Counsel,

Filed

14

day of

July

1880

Pleads,

THE PEOPLE

vs.

John Brawley

Grand Larceny, Second Degree,
(From the Person.)
[Sections 528, 584, 532 Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Samuel McKee

Foreman.

July 17/80

James C. J.

Pen 1

PSM

0875

Police Court—

1st District.

Affidavit—Larceny.

City and County
of New York, } ss.

of No.

Anthony Poto

Street,

aged 26

years,

occupation

Tailor

being duly sworn

deposes and says, that on the

7th

day of

February

1890

at the City of New

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

of a person in the time, the following property, viz:

of Ottavio Coppalo, aged 8 years.

The following property viz

One cloth coat of the value
of Seventeen dollars.

the property of

in the care and charge of
deponent as Tailor

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 John Hawley (nowhere)

from the fact that on said date

deponent gave the said property

to the said Coppalo to take to his

mother to mend button holes in said

coat. Deponent is informed by the

said Coppalo that the said Hawley

snatched the said property from

his hands and ran away with

said property in his possession.

Deponent further says that he caught the

said Hawley in the laundry with

the said property in his possession.

Anthony Poto
min &Sworn before me, this 7th day
of February 1890

Alfred Mahon Police Justice.

0076

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 8 years, occupation None of No.

197 Mulberry Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Anthony De

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

Sworn to before me, this

day of

188

John J. McMahon

Police Justice.

Attilio Coppalo
mark

0877

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK,

District Police Court.

John Hawley 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 Hawley*

Question. How old are you?

Answer. *45 Years.*

Question. Where were you born?

Answer. *Illinois*

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

Answer. *Mulberry Street 15 Years.*

Question. What is your business or profession?

Answer. *Labourer.*

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

Answer. *The Org gave me the Cash
to pawn*

John Hawley
Much

Taken before me this

day of *February* 1892

Almondson

Police Justice.

0078

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 Aggenburg

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 Feb 7 1890 R. M. Mahon 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.

0879

Police Court--- / 240 District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Anthony P. P.
John. Hawley

2
3
4

Office
Sanborn

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *February 7* 18*90*

M. Mahan Magistrate.

W. Summing Officer.

10 Precinct.

Witnesses *Ottelio Coppalo*

No. *197 Mulberry* Street.

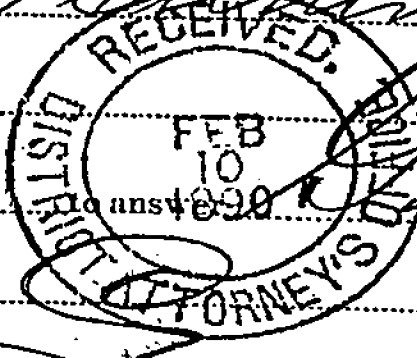
James Sullivan

No. *197 Mulberry* Street.

Officer Summing

No. _____ Street.

\$ *5.00*



Sanborn

0000

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 Frawley

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

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

The said

John Frawley

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

*one coat of the
value of seventeen dollars*

of the goods, chattels and personal property of one *Anthony Poto*
on the person of the said *one Attilio Cappato*
then and there being found, from the person of the said *Attilio Cappato*
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.

0001

SECOND COUNT—

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

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

The said

John Frawley
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 coat of the value of
seventeen dollars

of the goods, chattels and personal property of one

Anthony Poto

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

Anthony Poto—

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

John Frawley
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.

0002

BOX:

384

FOLDER:

3585

DESCRIPTION:

Frindel, George

DATE:

02/06/90



3585

Witnesses;

Michael Starr

Off. Paulding

Sophia Brown

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

George Brinard

Att. Gen.

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

James McKeever

Part
391 261 890
27 1890
Foreman.

Spent & cleared up
2009
S. W. 3 415- 12311.

0003

0004

THE PEOPLE

vs.

GEORGE FRINDEL.

COURT OF GENERAL SESSIONS. PART I.

BEFORE JUDGE MARTINE.

Thursday, February 27, 1896.

Indictment for assault in the first degree.

Asst. Dist. Atty. Macdonna for the People.

Mr. Charles Steckler for the Defendant.

A Jury was empannelled and sworn.

Michael Buhner sworn and examined by Mr. Macdonna
through the Interpreter:

Q. Where do you live.

A. I live 534 West 47th Street.

Q. Did you live there on the first of February.

A. Yes sir, it was on a Saturday.

Q. Did you on that day near that house on the street see
this defendant Frindel.

A. Yes sir.

Q. What time of day was it or night.

A. It was on a Saturday, it was half past four.

Q. In the afternoon.

A. In the afternoon, yes sir.

Q. Now where did you see him, on the street.

A. Yes sir, I saw him on the street.

Q. What did you say to him.

A. I asked him, "what for do you send letters in the shop
and to the people around."

Q. And what did he say.

A. "What letters?"

Q. And then you said what.

0005

A. I got the letters from you, three letters.

Q. Then what happened.

A. He said, "I will now give you letters.

Q. What happened after that.

A. And he took the beer can and he hit me over my face, I was full of beer and everything and this time he took a knife out of his pocket and hit me that way. (Pointing to the head.)

Q. Now after you were struck what did you do.

A. He run into the grocery store -- that fellow that cut me.

By the Court. Q. Did you go in the grocery store.

A. He, the prisoner, run into the grocery store, he first run into the grocery store.

By District Attorney: And where did you go.

(Witness answered in English.)

A. I do in the grocery store, I went after him in the grocery store, he got the knife up this way (illustrating), when I came into the grocery store he was with his knife high up in the air and tried to stab me again to give me another one.

The Court directed that the witness should speak in German and that the Interpreter should translate it.

Witness: When I came into the grocery store he had his knife high up and tried to give me another one; I ran out of the grocery store and the blood was spurring out of my head.

Q. Did you see the policeman who arrested this man at that time.

A. Yes sir.

Q. Did you go to the station with the policeman.

A. Yes sir.

0005

Q. Where did you go to from the police station.

A. In an ambulance.

Q. Where did the ambulance take you.

A. To the Roosevelt Hospital.

Q. Well how long did you stay there.

A. I think about an hour.

Q. Did they sew up, your head.

A. Yes sir.

Q. And then you went home.

A. Then I went home.

Q. Did you have any weapon in your hand that day at that time.

A. No sir.

Q. Nothing at all.

A. Nothing at all.

Cross Examined by Mr. Steckler.

Q. Now Mr. Buhner, you went up to this man first when he was walking by you with a can of beer, is that so.

A. No sir.

Q. Did not you go towards him first and speak to him first when you saw him on the street with a can of beer.

A. No, I was there standing but I did not go.

Q. But did not you go up to him.

A. No sir, I was standing at the door and I said, "why do you send letters?"

Q. The you first spoke to the defendant.

A. Yes sir.

Q. And at that time the defendant was walking by your house in front of the house where you stood and where you live, with a can in his hand.

3 A. Yes sir.

0007

Q. Now were you standing in front of 534 West 47th Street at this time.

A. Yes sir.

Q. And where is this saloon that he was going into.

A. I did not see him go into a beer saloon --- in a grocery store he went in.

By the Court. Q. What saloon did he get the beer from.

A. I do not know.

By Counsel. Q. From what avenue was he coming.

A. Eleventh Avenue.

By the Court. Q. Toward the river.

A. Yes sir.

By Counsel. Q. Was it to Twelfth Avenue.

A. Toward Tenth Avenue.

By the Court. Q. On which side of the street.

A. On this side (The south side.)

By Counsel. Q. This defendant lives on the same side of the street with you, two doors away from you, does he not.

A. Yes sir.

Q. Well now in order for him to go to his house it was necessary for him to pass you at that time, was it not.

A. Yes sir.

Q. Now is it not a fact that you threw stones at this defendant before he went into the saloon for beer.

A. No sir.

Q. Is it not a fact that when he came out of the saloon after as he claims, you threw stones at him, you went at him with an iron bar.

A. No sir.

0000

Q. Do you know that lady sitting over there in the witness box. (Pointing to a lady.)

A. Yes sir.

By the Court. Q. What is her name.

A. Lizzie Bruener, I believe is her name.

By Counsel. Q. Did you have a quarrel with her and her husband.

Objected to.

The Court: Was it about this time?

Mr. Steckler: Yes sir.

The Court: Well, how near to it?

Mr. Steckler: I want to show by this line of questions the character of this complainant, his quarrelsome disposition, and that he is constantly engaged in quarreling with neighbors around where he lives, to show that that was his disposition and thereby the Jury would have the right after hearing all the evidence, to judge that he was such a man as would pick and start a quarrel.

The Court: Suppose that were so, would that justify a man in assaulting him? I shall sustain the objection at this stage.

Mr. Steckler: My purpose is asking this question is to show the quarrelsome disposition of this complainant as a fact for the Jury to take into consideration with all the other circumstances: Note my exception.

By Counsel. Q. Did you throw a stone at this defendant.

A. No sir.

Q. Then this man without any cause or provocation took this can and hit you over the head with it, is that it.

A. Yes sir.

Q. You had never said or done anything to him to provoke it.

A. No sir, I only did go to this man.

0009

Q. You did not have any piece of iron of any kind or description in your hand.

A. No sir.

Q. You say you were at the hospital for one hour, you went there to have your wound dressed, is that right, yes or no.

A. About an hour, I do not know exactly if it was.

Q. Did you see the knife the defendant had in his hand.

A. Yes sir.

Q. Did you see that knife in his hand before you were struck with this kettle containing the beer.

A. No sir.

Q. When did you see the knife in his hand.

A. After he hit me with the beer can.

Q. Were your eyes so blinded that you could not see after he threw the beer at you.

A. I saw the knife, I could see the knife.

Q. Well, but did the beer get in your eyes, yes or no.

A. No sir. it ran down my face, it did not go into my eyes.

Sophie Beener called.

District Attorney: This little girl wont swear.

The Court: I will see whether she will or not.

Witness: I will tell the truth but I wont swear.

By the Court. Q. How old are you.

A. Thirteen.

Q. Do you go to Sunday School.

A. Yes sir.

Q. Do you know what it is to take an oath.

A. I do, I will go to hell if I tell a lie.

Q. You understand that if you are sworn to tell the truth

0090

and you do not, you will be punished.

A. Yes sir.

Q. Do you understand that you will be punished here.

A. Yes sir.

The Court: She is perfectly competent.

Witness: My mother wont let me swear.

The Court: You are here in court and you have got to be sworn.

The Witness was sworn.

By District Attorney: Sophie, where do you live.

A. No. 542 West 37th Street.

Q. Were you in 47th Street on the afternoon of February 1st about half past four o'clock.

A. Yes sir, I was the whole day.

Q. About half past four were you on the street.

A. Yes sir.

Q. In front of 534.

A. Yes sir.

Q. Whose house is that.

A. My uncle's.

Q. Was that the last witness your uncle.

A. Yes sir.

Q. Did you see anything happen on the street, between your uncle and another man.

A. Yes, I only seen -----

Q. Did you see something happen.

A. Yes sir.

Q. Is that the man that you saw him with, Frindel.

A. Yes sir.

Q. You knew him before this time.

A. Yes sir, I knew him in Germany already.

0891

Q. You know him in Ohio too. didn't you.

A. Yes sir.

Q. Tell us what you saw.

A. When Frindel came from the saloon my uncle went down and asked him why did he send those letters and he says, "what letters?" "Wait till I show you letters." He took the beer can and hit it over my uncle's head; after that he took something out of his pocket, I did not see what it was, he cut him and Mr. Frindel ran into the grocery store and my uncle followed him, I went upstairs.

Q. Had your uncle anything in his hand.

A. No sir, I did not see nothing.

Q. How long had you seen him before this thing, were you talking to him or standing near him.

A. Yes sir, I was standing beside my uncle when Frindel came

Q. If your uncle had an iron bar in his hand you would have seen it, would not you.

A. Yes sir.

Cross Examined by Mr. Steckler.

Q. Do you live with your uncle.

A. No sir, my aunt was sick and I always go up there Saturdays and do the work for her.

Q. Were you down the street all day.

A. No sir, I went down at four o'clock.

Q. Were you there when you saw Mr. Frindel come out of his house to go down to the saloon.

A. I did not see him when he came out of the house but when he came from the saloon I seen him.

0092

- Q? Well, did your uncle say he was going to wait there till Frindel came out.
- A. No sir, he did not say nothing to me.
- Q. Where was the saloon Frindel came out of.
- A. I could not tell you, he came from Eleventh Avenue.
- Q. Did your uncle see him.
- A. Yes sir, he did not see the saloon though.
- Q. How do you know.
- A. He was speaking there with me.
- Q. Where did your uncle first see Mr. Frindel that you know of.
- A. He seen him down the street.
- Q. How far away from where you were standing with your uncle was Frindel when he hit your uncle, as you say.
- A. He was by the lamp-post, right away from the door.
- Q. How far from the corner do you live, how many houses does your uncle live away.
- A. I could not tell you.
- Q. Does your uncle live in the middle of the block.
- A. Yes sir.
- Q. Did you see Mr. Frindel come out of Eleventh Avenue.
- A. Yes sir.
- Q. You saw him turn the corner.
- A. Yes sir.
- Q. Where do you say your uncle's house is, in the middle of the block.
- A. Yes sir, right beside a new building.
- Q. But then you said you saw Mr. Frindel turn out of 11th Ave.
- A. No, he came from 11th Avenue.

Q. Did you see him by the corner of 11th Avenue.

A. No sir.

Q. How far was he away from the corner.

A. I just seen him when he came by my uncle's house, I was playing in the yard and I ran out to the street.

Q. When did you come out in the street.

A. Just a little while before Frindel came from the saloon.

Q. Your uncle then left you and went towards Mr. Frindel, did he.

A. No sir, I was standing beside him.

Q. Your uncle went to speak to Mr. Frindel, didn't he.

A. Yes sir.

Q. And he left you, didn't he.

A. I followed him.

Q. And did they have a talk together.

A. I heard what my uncle said; he only asked him why he sent those letters.

Q. Did you hear what Mr. Frindel said.

A. Yes sir.

Q. And did you see a knife in Frindel's hand.

A. I could not tell you what it was.

By the Court. Q. You saw him have something in his hand.

A. Yes sir.

Q. Did he do anything with it.

A. I seen him cut my uncle.

By Counsel. Q. Have you talked to your uncle about this case.

A. No sir.

Q. Never said a word to him since all this time.

A. No sir.

0094

Q. Never talked to him at home about it.

A. No sir.

Q. You have been to your uncle's house since that time.

A. No sir, that was the last Saturday I was there.

Q. Haven't you been there since.

A. No sir.

Q. Do you come down here every day with your uncle.

A. Sometimes I do.

Q. This case has been on every day this week.

No answer.

By the Court. Q. Did you come down with your uncle to-day.

A. Yes sir.

By Counsel. Q. Did you come down with him yesterday.

A. Yes sir but he did not speak a word to me about that.

Q. You came down with him the day before yesterday too, did you not.

A. Yes sir.

Q. Did he go to your house after you or did you come to his house.

A. No sir, I came to his house.

Q. You have been to his house three times.

A. Only once before yesterday morning I went there to his house.

Q. Did you go there yesterday or this morning.

A. No sir.

Q. Did he go to your house for you.

A. No sir, I went down to his shop.

Q. You came down with him.

A. Yes sir.

0095

Q. Did you talk to him about this case, or he to you these three days.

A. No sir.

Q. Never asked you what you knew.

A. No sir.

Q. Whether you noticed anything or saw anything else, never spoke about it at all.

A. No sir.

Redirect Examination.

By District Attorney: Q. You do not mean to tell the Jury that since the thing occurred he has not spoken to you.

Objected to as leading.

Objection over-

ruled.

Exception. Question withdrawn.

Q. Were you in the house when your uncle came back from the hospital.

A. I stayed there in the house, my father came for me.

Q. At that time you talked with your father and your uncle about the case.

Objected to as leading.

A. No sir, my father only asked me what I seen and I told him.

Q. Did you have any talk with your uncle at all.

A. No sir, I went right home after my uncle came home.

Q. When he came in.

A. Yes sir.

Q. You saw him only one Saturday after that.

A. Yes sir.

Q. Was that the last Saturday you were there.

A. No, that was before yesterday morning I was there.

Q. That Saturday when this thing occurred was the last

0096

Saturday you were at the house, wasn't it.

A. Yes sir.

Q. And then you came down here with your uncle.

A. Yes sir.

Q. You had no conversation with him about this case.

A. No sir, I never was to court, I did not think that I would have to go.

Q. You did come here didn't you, with him.

A. Yes sir.

Q. You did not have any conversation with him on the way down.

A. No sir.

By the Foreman. Q. You say that just previous to when this happened on that Saturday afternoon you were playing in the yard.

A. Yes sir.

Q. Were you playing with other children.

A. No sir, with my cousin's little boy.

Q. What attracted you to come out in the street.

A. Nobody, I says. "come out on the street."

Q. You just happened to come out when this man came up, this defendant.

A. Yes sir, then my uncle went there and asked him why he sent those letters and then he says -----

Charles G. Paulding sworn and examined.

By District Attorney. Q. Officer, you are attached to the 22nd precinct of the municipal police of this city.

A. Yes sir.

Q. Were you on duty in the neighborhood of 534 West 47th St. in this city at half past four on the afternoon of February 1st.

0097

A. Yes sir.

Q. Now did you see the defendant at the bar there at that time.

A. I saw him right after the thing occurred.

Q. And the complainant you saw, did you.

A. Yes sir.

Q. Just tell us what you noticed.

A. Well, I was standing on the corner of 47th Street and 10th Avenue on Saturday afternoon, February 1st and the defendant and somebody else, I don't know who it was, it was some stranger, came along there and said there was a fight down the street ---- there was a stranger told me of it first.

By the Court. Q. Do you mean this man.

A. Yes sir, he came up afterwards and said there was a fight down the street.

Q. Did he say it in the presence of this man.

A. No sir, he told me first and then I followed the defendant right down to this grocery store and went in the store and I inquired where the man was that got cut, I had heard he got cut.

By Counsel. Q. Who did you inquire of.

A. I inquired of the groceryman.

Q. Was he (the defendant) there.

A. Yes sir.

By the Court. Q. Who, the defendant.

A. Yes sir, with that the complainant came in with his head all cut here and the blood was spurting out I should think about three or four feet. So, I asked the complainant who cut him and he pointed to this man, he said that he cut him; so of course I placed him under arrest and brought

0098

him to the Station House. I asked him why he cut him,
I asked him if he cut him and he said yes. So in the
morning when I took him to Court I showed him the knife and
I asked him why he cut him. He says, "that is all right,
that is all right." That is all I could understand.

By District Attorney. Q. Now Officer, when you got into this store
and found this defendant there did you find a knife with
him.

A. I did not search him, not then no sir, he had no knife
in his hand.

Q. Well, did you search him subsequently.

A. I searched him in the Station House.

Q. What did you find there.

A. I found a knife that I have in my pocket. (Knife produced.)

Q. Was this knife closed.

A. Yes sir.

Q. Was there any blood marks on it.

A. I could not say that there was.

Q. You could not.

A. No sir.

Q. When you took the knife from him did you ask him if that
was the knife.

A. I did not ask him right there, I asked him the next mornin
going to Court; I showed him the knife, I asked him, "is
this the knife you cut him with; did you cut him", I said.
He said, "Yah, that is all right". That is all I could
get out of him.

Cross Examined by Counsel.

Q. He is a German is he not, Officer.

A. Yes sir.

0099

Q. Now where did you first see him, Officer.

A. I first saw him at about ----

Q. Was it in the street or in the store.

A. It was in the street.

Q. In the street.

A. Yes sir.

Q. And where was the Complainant.

A. I don't know where he was at that time.

District Attorney: I offer that knife in evidence and that is the case for the People.

The Case for the Defence.

Counsel: I ask your Honor to take from the consideration of the jury the first count in the indictment charging assault in the first degree, on the ground that there is no proof here to show that there was any intent to kill.

The Court: It is a matter for the jury --- denied.

Counsel: Give me the ~~one~~ benefit of an exception.

The Court: Certainly.

The Counsel opened the case for the Defendant.

Elizabeth Bruener sworn and examined.

By Counsel. Q. You are a married lady.

A. Yes sir.

Q. And reside with your husband, where do you live.

A. No. 531 29th Street.

By the Court. Q. West. A. West 29th Street.

By Counsel. Q. Do you know the complainant Mr. Buhner.

A. Yes sir.

Q. Do you know what the character and reputation of the

0900

complainant is for peacefulness and quietude.

Objected to. Objection sustained. Exception.

Jonas Phillips called.

By the Court. Q. What is your name.

A. Jonas Phillips.

Q. How old are you.

A. Eight years old.

Q. Were you ever in Court before.

A. Yes sir.

Q. When were you in Court before, where were you in Court before.

A. One day..

Q. In this court.

A. Yes sir.

Q. Do you know what it is to take an oath.

A. Yes sir.

Q. What is it, don't get frightened, just look up and talk to me, there is nothing to be frightened at, no one will hurt you, do you know what it is to take an oath.

A. Yes sir.

Q. What is it.

A. I do not know.

Q. Did you ever hear of God.

A. NO.

Q. Do you know what it is to swear on the Bible.

A. No sir.

Q. Do you know what the Bible is.

A. NO.

Q. Do you know that you would be punished by God if you did

not tell the truth.

A. NO.

Q. Do you know what would happen to you if you did not tell the truth.

A. NO.

By Counsel. Q. Do you know what it is to tell a lie, sonny.

A. NO.

Q. What will happen to you if you tell a lie, do you know.

A. NO.

The Court: The child is incompetent ---- let him go down.

Counsel: I ask in the interests of justice, that the child may be allowed to testify. The Court of course is impartial it does not make any difference to the Court except in favor of justice. I believe in having the truth out, I ask in the interests of justice that this child be permitted to give his testimony in the case without being placed under oath.

The Court: I have no such right ---- the motion is denied.

George Frindel sworn and examined, by Counsel, through the Interpreter.

Q. How old are you.

A. Forty-five.

Q. What is your business, Mr. Frindel.

A. Laborer, I am working for Mr. Smith.

Q. This gentleman sitting here. (Pointing to him.)

A. Yes sir.

Q. How long have you been in the country.

A. Four years .

0902

Q. Have you ever been arrested or charged with the commission of any crime in your life.

A. No sir.

Q. This is the first time then that you have been charged with the commission of any offence.

A. The first time.

Q. Now will you please tell the Court and Jury all about the trouble that you and Mr. Buhner had on the first of February last, just tell us about the quarrel you had with him on that day.

A. When I came home from my work I went out to get a pint of beer for my meal and when I was about to go for beer coming to Eleventh Avenue Buhner came against me.

By the Court. Q. The complainant.

A. Yes sir; he said "why did you send a letter to me to the shop?" I said, "I did not know anything about it; then he said, "if you say it again I will hit you." I said, "I don't know anything about it", and he said, "if you say it again I will hit you", and he hit me on the head; after he hit me twice I ran away and he threw stones after me. Then I went into the saloon and got a pint of beer and I was on the way to go home. I have to pass his house, the door where he lives; then he was standing there with a bar of iron about two or three feet long and he said, "now you have to die, I will kill you." He came with that bar at me and he hit me over the arm and I with my arm threw the bar away a couple of times, threw the bar off, warded it off. He did not stop and I took my knife out to scare him when he in a rage came at me again and he ran into the knife, he himself. Then in

0903

order to protect ~~protect~~ myself I ran into the grocery store and he ran after me into the grocery store and I went myself to the policeman.

Q. Now did you intend to cut this man.

A. No sir.

Q. And when you had this knife out in your hand did he come towards you again with this bar.

A. Yes sir.

Q. And was that the time he was cut.

A. Yes sir.

The Court: It was an accident and not justification.

Counsel: His testimony shows that of course, it is for the Jury to say.

The Court: You claim both?

Counsel: I claim if it was not an accident he was justified under the circumstances in doing it ---- that is our defence.

Cross Examined by District Attorney.

Q. Now how many times did this man hit you with this iron.

A. Five or six or seven times.

Q. And he hit you very hard, did he strike at you that way or this way with his right hand as hard as he could. (Illustrating).

A. He hit me also on the arm and I always warded it off.

Q. Did he hit you with all his might as hard as he could.

A. Yes sir, he said, "now you have to die, I will kill you."

Q. Was the bar as thick as that. (Illustrating.)

A. As my thumb. (Holding up his thumb.)

Q. And about how long was it.

A. About three feet long.

0904

Joseph Smith sworn and examined.

By Counsel. Q. Mr. Smith, what is your business.

A. Manufacturer of step-ladders and long ladders.

Q. Do you know the defendant.

A. Yes sir.

Q. How long have you known him.

A. About six months.

Q. He has worked for you during that time.

A. Yes sir.

Q. Do you know what his character has been during all that time for peace and quietness.

A. Yes, good, he always worked every day.

By the Court. Q. For peace and quietness.

A. Yes, very quiet.

Q. Decent and peaceable.

A. Yes sir.

By Counsel. Q. An orderly man is he.

A. Yes sir.

Q. Did you ever know him to get engaged in quarrels with anybody.

A. No sir.

Q. He attended to his work. A. Yes sir.

Counsel: I have been here with two or three witnesses two or three days and they did not come down to-day, I will have to rest unless your Honor will give me the opportunity to get a witness in the morning.

The Court: There is another case to be tried.

There was no summing up of Counsel.

0905

Counsel: I renew the motion made at the close of the prosecution's case and the same disposition I suppose will be made of it by your Honor.

The Court: The motion was to withdraw the first count -- that is a matter for the Jury.

Counsel: Will your Honor give me the benefit of an exception?

The Court: Yes; it is conceded that whatever happened to this man happened with a knife and it is a matter for the Jury.

*Testimony
case
Franklin
1879*

0906

Police Court—4 District.

City and County { ss.:
of New York,

of No. 534 West 47 Street, aged 30 years,
occupation Varnisher

deposes and says, that on the 1 day of February 1890 being duly sworn
at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by George
Frieder (now here) who cut

and stabbed deponent with
a knife then and then held in his,
defendants, hands, seriously and
grievously cutting deponents head
and struck deponent ~~two~~
blows on the head with a
tin kettle on the head then
and then held in his, defendants,
hands

Alit Lüner
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 2 day

of February 1890

G. H. Murphy Police Justice.

v Alit Lüner

0907

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

4 District Police Court.

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

Question. What is your name.

Answer.

George Frieder

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

Germany

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

Answer.

N^o 532 West 47th Street & about 6 months

Question. What is your business or profession?

Answer.

Laborer

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

Answer.

I am not guilty. The man struck me with an iron bar, and cut him with a pen knife.

George Frieder

Taken before me this

day of

1891

Richard J. ...
Police Justice.

0908

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

Dated July 2 1889 J. J. [Signature] Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

[Signature]

0909

Police Court 194 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael Deam
George Frieder
Frindal

2
3
4

Offence
Return

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *Feb 2* 18*90*

Ford Magistrate

Pardney Officer.

22 Precinct.

Witnesses *Sophie Beemer*

No. *534* *West 37* Street.

LS

No. _____ Street.

No. _____ Street.

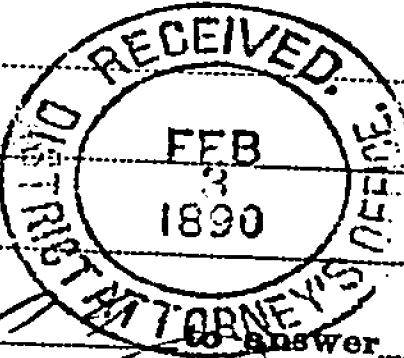
\$ *100* Co answer *G. J.*

Carroll

Emerson Deam

John Brown

Carroll



0910

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

George Frindel

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

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

The said

George Frindel
late of the City of New York, in the County of New York aforesaid, on the
first day of *February* 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 *Michael Bukner*
in the Peace of the said People then and there being, feloniously did make an assault
and *him* the said *Michael Bukner*
with a certain *knife*

which the said *George Frindel*
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,

3 with intent *him* the said *Michael Bukner*
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
George Frindel
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

George Frindel
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 *Michael Bukner* in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and *him* the said

with a certain

Michael Bukner
knife
which the said *George Frindel*
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.

John R. Bellows
District Attorney

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**END OF
BOX**