

0009

**BOX:**

390

**FOLDER:**

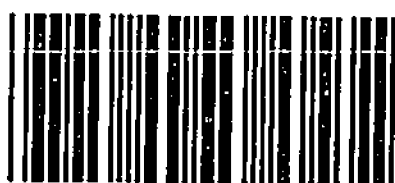
3632

**DESCRIPTION:**

Regan, Jeremiah

**DATE:**

03/24/90



3632

POOR QUALITY  
ORIGINAL

00 10

156

Counsel, *De C. Ward* 1890  
Filed  
Pleads,

Witnesses;  
*Merris Abramowitz*  
*Off Geo Raymundo*

THE PEOPLE  
vs.  
*Jeremiah Regan*  
*by*  
*John R. Fellows*  
[Section 497 and 34, Penal Code.]  
*Attorney*  
Barry in the second degree.

JOHN R. FELLOWS,  
District Attorney.

A True Bill.  
*John R. Fellows*  
*March 24/90* Foreman.  
*John R. Fellows*  
*2 yrs 8 mos 11 days*



POOR QUALITY  
ORIGINAL

0011

Police Court District.

City and County of New York, ss.:

of No. 5 Hester Street, aged 24 years,

occupation being day laborer

deposes and says, that the premises No. 5 Hester Street, Ward

in the City and County aforesaid the said being a 5 story brick

cellarment house the front door

which was occupied by deponent as a kitchen, shop

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

deponent's wife Morris Hopland and Miss Fanny

were BURGLARIOUSLY entered by means of forcibly opening

the window in the rear room

back of said shop

on the 15th day of March 188 in the night, and the

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

Jewelry and wearing

apparel of the value

of seventy five dollars

(\$75)

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

Jeremiah Regan (man

here,

for the reasons following, to wit:

At twelve o'clock

on said night and date

deponent locked, bolted and

effectually closed said premises

at seven o'clock on

said night and date one

arrived at said

deponent raising the

rear window, and called

POOR QUALITY  
ORIGINAL

0012

Deponent, Deponent's man  
out and grabbed said  
Deponent and held him  
till the officer came and  
arrested him.

Therefore now  
Deponent charged said  
Deponent with attempting  
to burglariously enter said  
premises and attempting to  
take, steal and carry away  
said property and pray  
that he be dealt with as  
the law directs.

Sworn to before me }  
this 16<sup>th</sup> day of Mar 1890 } Morris Abramowitz  
Sheldon Kinton  
Police Justice

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

of the City of New York, until he give such bail.

\_\_\_\_\_ Hundred Dollars \_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

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

Police Court, \_\_\_\_\_ District, \_\_\_\_\_

THE PEOPLE, &c.,  
on the complaint of

23.

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

Offence—BURGLARY.

Dated \_\_\_\_\_ 188 \_\_\_\_\_

Magistrate.

Officer.

Clerk.

Witnesses, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
\$ \_\_\_\_\_ to answer General Sessions.



POOR QUALITY  
ORIGINAL

00 13

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 16 years, occupation Conductor of No. 5-Hester

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 16th  
day of March 1888

Charles W. Lister

Police Justice.



POOR QUALITY  
ORIGINAL

00 14

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*Am not guilty*  
*Jeremiah Regan*

Taken before me this

day of

188

at

*Charles H. Stainer*

Police Justice.

POOR QUALITY  
ORIGINAL

00 15

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

Police Court...

District.

423

THE PEOPLE, etc.,  
ON THE COMPLAINT OF

*See Report*

2

3

4

Dated

1890

Magistrate.

1890

1890

1890

1890

1890

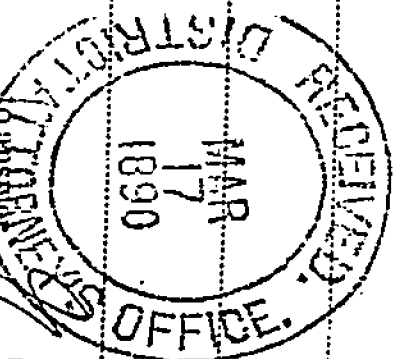
1890

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1890



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

Dated *Mar 16 1890* *Charles N. Linton* 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.

POOR QUALITY  
ORIGINAL

00 16

## Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Jeremiah Reagan*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Jeremiah Reagan of the crime of*  
*attempting to commit*  
of the CRIME OF BURGLARY IN THE ~~second~~ DEGREE, committed as follows:

The said *Jeremiah Reagan*,

late of the *Tenth* Ward of the City of New York, in the County of New York  
aforesaid, on the *10th* day of *March*, in the year  
of our Lord one thousand eight hundred and *ninety*, with force and arms, about the  
hour of *four* o'clock in the *morning* time of the same day, at the Ward,  
City and County aforesaid, the dwelling house of one *Maria Adami*

there situate, feloniously and burglariously <sup>*attempt to*</sup> did break into and enter, there being then and there  
some human being, to wit: *The said Maria Adami*

within the said dwelling house, with intent to commit some crime therein, to wit: the goods,  
chattels and personal property of the said *Maria Adami*

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

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

*John R. Bellows,*  
*District Attorney.*



0017

**BOX:**

390

**FOLDER:**

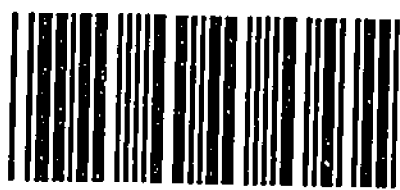
3632

**DESCRIPTION:**

Robinson, Harry W.

**DATE:**

03/20/90



3632

POOR QUALITY  
ORIGINAL

00 18

Witnesses;

Rec. 2 Matthews to

Wm. W. Muller

Counsel,

Filed

Pleads,

Do day of March 1890

Property 21

32

THE PEOPLE

218 2nd 34 108.

Grand Larceny Second degree.  
[Sections 528, 58, 430 Penal Code.]

Harry W. Robinson

JOHN R. FELLOWS,

District Attorney.

A True Bill.

John James Phundley

Part 2 March 26, 1890, Foreman.

Heads, J. L.

Sentence suspended

RBH

POOR QUALITY  
ORIGINAL

0019

Police Court-2-District.

Affidavit-Larceny.

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

Richard Northampton

of No. 747 Broadway Street, aged 52 years,  
occupation Manager of Northampton & Co being duly sworn  
deposes and says, that on the 15 day of March 1882 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:

Five volumes  
of the International Library of the  
value of six dollars and twenty five  
cents; three volumes of the same  
in paper covers of the value of  
two dollars and twenty five cents and a  
manuscript of a novel of the value  
of two hundred dollars - all  
of the value of two hundred and eight  
dollars and fifty cents \$208.50  
the property of Deponent, and in deponent  
care

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 Harry W. Robinson, now

here, for the reason that the  
said Robinson was in the employment  
of deponent and had access to  
the said property, and deponent  
missed the same and caused  
search to be made and deponent  
is informed by Policemen Louis  
E. Franklin of the 17th Precinct  
that on the 15th day of March  
instant, he went to the residence of  
the defendant at No 218 West  
34th street and there found  
the said stolen property in the trunk  
belonging to defendant, and in a  
room formerly occupied by defendant.

Richard W. Northampton

Sworn to before me this

6

day

Police Justice.



POOR QUALITY  
ORIGINAL

0020

CITY AND COUNTY  
OF NEW YORK, } ss.

*Louis G. Franklin*

aged *50* years, occupation *Boatman* of No.

*17* *West*

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

*Richard Northrup*

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

Sworn to before me, this

*16*

day of

*March* 188*8*

*A. J. White*

Police Justice.

*Louis G. Franklin*

POOR QUALITY  
ORIGINAL

0021

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Harry W. Robinson 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.

Harry W. Robinson

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

Canada

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

Answer.

O'Brien House

Question. What is your business or profession?

Answer.

Advertising Agent.

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 bought and paid for  
the book. The manuscript  
was not in the Coupland's  
possession but was sent  
to me personally. I took  
it home to examine it.

Harry W. Robinson

Taken before me this

16

day of

August 1888

Police Justice.

POOR QUALITY  
ORIGINAL

0022

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

Police Court--- 2 419  
District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Richard W. Thompson

243 1300  
Henry W. Robinson

2

3

4

Offence

Larry J. King

Dated

March 16 1890

Residence

White

Magistrate.

No. 3, by

Franklin

Officer.

Residence

17

Precinct.

No. 4, by

Witnesses

Precinct.

No. 4, by

Witnesses

Precinct.

No. 4, by

Witnesses

Precinct.

No. 4, by

Witnesses

Precinct.

No. 4, by

Witnesses

Precinct.

No. 4, by

Witnesses

Precinct.

No. 4, by

Witnesses

Precinct.

No. 4, by

Witnesses

Precinct.

No. 4, by

Witnesses

Precinct.

No. 4, by

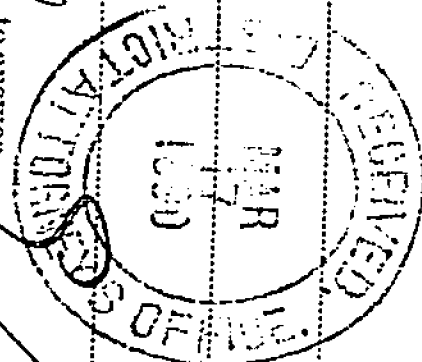
Witnesses

Precinct.

No. 4, by

Witnesses

Precinct.



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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Three 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..... 1890..... 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.



POOR QUALITY  
ORIGINAL

0023



EDITORIAL DEPARTMENT  
THE CENTURY MAGAZINE  
UNION SQUARE NEW YORK

July 23  
1895

My dear Mr. Robinson,

Dear Sirs: Thanks  
for your prompt note.

The beaver will  
show you receipt for  
the package sent to Mr.  
Robinson for you.

Will you kindly make  
inquiry and let me know the  
result.

Mr. Robinson told me at the  
Authors Club a fortnight ago that  
he was your reader & on the strength  
of that statement I sent him the MS.  
'The Americans at Home'. It is translated  
by Miss Helen Stanley from the French of  
the Marquise de San Carlos. Very truly yours  
R. W. Johnson

POOR QUALITY  
ORIGINAL

0024

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Harry W. Robinson*

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

*Harry W. Robinson*

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

The said

*Harry W. Robinson*

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

*five books of the value of one  
dollar and twenty-five cents each,  
three other books of the value of  
seventy-five cents each, and a  
quantity of manuscript, a more  
particular description whereof  
is to the Grand Jury aforesaid  
unknown, of the value of two  
hundred dollars*

of the goods, chattels and personal property of one

*Richard Worthington*

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.

POOR QUALITY  
ORIGINAL

0025

SECOND COUNT—

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

— *Harry W. Robinson* —  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

*Harry W. Robinson*

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,

*five books of the value of one  
dollar and twenty-five cents each,  
three other books of the value of  
seventy-five cents each, and a quantity  
of manuscript, a more particular description  
whereof is to the Grand Jury aforesaid  
unknown, of the value of two hundred dollars*

of the goods, chattels and personal property of one

*Richard Worthington*

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

*Richard Worthington*

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

— *Harry W. Robinson* —

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.



0026

**BOX:**

390

**FOLDER:**

3632

**DESCRIPTION:**

Rosenbloom, Louis

**DATE:**

03/20/90



3632

0027

Harvey Avera  
Mr. J. Casanova

**For exam.**

April 18<sup>th</sup> 3.50  
 March 27<sup>th</sup> 3.50  
 April 22<sup>nd</sup> 3.50  
 April 23<sup>rd</sup> 3.50

POOR QUALITY  
ORIGINAL

0028

Police Court  
Second District

The People  
Henry Stern  
Louis<sup>2</sup> Rosenbloom

Examination Before Justice White  
March 4 1890

For the defendant E. M. Friend

Henry Stern being duly sworn and  
examined by the court deposes  
and says: I am the complainant.  
I live at 142 Chrystie St  
I keep a cigar store.

Q On the 24th day of February  
was your place broken into?

A Yes Sir

Q What time?

A 6 O'clock in the morning

Q How do you know?

A Because my wife saw him  
running away from the door.

Now examined

Q What is your name?



POOR QUALITY  
ORIGINAL

0029

A Henry Stern

Q Is this lady your wife?

A Yes Sir

Q When were you married?

A Seven years ago

Q By whom?

A It was in the old country  
It was not here.

Q Are you positive about that?

A I would not say so if I  
would not be positive.

Q Where is your cigar store?

A At 182 Chryste St.

Q What does your cigar store  
consist of?

A Cigars.

Q What else?

A Cigarettes

Q How many ladies have you  
got in that cigar store?

A None

Q Do you swear now that  
you have no ladies there?

A I swear it a hundred  
times

2

POOR QUALITY  
ORIGINAL

0030

Q What was your business before?

A I was a waiter

Q Where?

A All over the city

Q What was your wife doing?

A She was a servant girl

Q Did she have a cigar store in Division Street?

A No sir.

Q Did she live in Division St?

A Yes I think she did

Q Did you live there?

A Certainly.

Q Do you remember having any trouble there?

A No trouble at all

Q When you lived in Division Street was the house that you lived in raided, and was this lady arrested there?

A What is that

The Court - Confine yourself to Christine

3

H. Counsellor

POOR QUALITY  
ORIGINAL

0031

Q What time did you close up  
the place?

A About 12 O' Clock.

Q Where did you go?

A I went away.

Q What time did you return?

A 3 O' Clock in the morning.

Q Was the store open when you  
came back?

A No.

Q Did you go in through the  
store?

A Through the store.

Q You live in the rear?

A I live in the rear.

Q How many people are on  
that floor where that store  
is?

A Me.

Q Nobody else?

A Nobody else.

Q How many rooms are there  
there?

A Three rooms and the store.

Q You woke up about when?



POOR QUALITY  
ORIGINAL

0032

A I did not wake up, because  
she woke me up about 6  
O'clock

2 What happened then?

A She told me "Louis ran  
away from her," she said  
"Eat up" I said "never mind"  
I did not think he broke  
in the door

2 You did not hear anybody  
break in the door?

A I did not

2 You discovered what?

A My watch and chain were  
missing, my pants and vest  
were by the door

2 Did you see the defendant

A I did not

Sworn to before me this..... day

of..... 189.....

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Rosa Stern being duly sworn and  
examined by the court as a  
witness for defendant depose  
and says: - I live at 182

POOR QUALITY  
ORIGINAL

0033

Chryshe

2 on the 24th day of July did  
you see the defendant here?

A Yes sir

2 When did you see him?

A I have heard him at the  
door and I see him out  
of the window. He was  
running away.

2 What time?

A 6 o'clock A.M.,

Was examined by Mr. Freund.

2 Was it light?

A It was quite light.

2 Did you see his back or his  
face?

A I saw his back and face  
both.

2 Where was he when you first  
saw him?

A He was running. I was  
looking out of the window  
of the room and he ran past

POOR QUALITY  
ORIGINAL

0034

the window

Q Where is this window.

A In the rear of our room

Q Have you ever been arrested?

A No

Q (Rephrased)

A I was arrested once

Q Was it in Durbin St?

A It was in Allen St.

Q What was it?

A The whole house was raided.

Q You lived in the house?

A Yes.

Q When the coupleman lived with you?

A Yes

Q What number in Allen St was it?

A At 195 Allen St

Q Did you live in Durbin Street once?

A Yes

Q You had a cigar store there

A No.

Q Was you arrested there



POOR QUALITY  
ORIGINAL

0035

A I was not

Q Who was arrested?

A One boarder was arrested.

Q Was you not arrested?

A There was one who was fined  
ten dollars.

Q Did he stern him then?

A Yes, I led four boarders

Q What is your husband's name?

A Henry Stern

Q When did you marry him?

A Seven years ago.

Q Where?

A In my country

Q You are sure of that?

A Yes

Q How he got on the wife

The Court Don't know that.

William F. Cosgrove being

duly sworn and examined as a

witness for the people deposes

and says I am an officer

of the Central Office, I made

the arrest in Orchard Street. 9

POOR QUALITY  
ORIGINAL

0036

took him over to headquarters. He said he took the watch and sold it to a man in Ludlow street. He could not tell me the name.

Cross examined by his friend

Q Do you mean to say that he admitted that he took that watch?

A I said to him "What did you do with that watch?" He said "I sold it to a man in Ludlow street."

Q He had other watches?

A Two others

Q Did he not tell you that he had nothing to do with it?

A He did at first, but when we got in the back room he owned up that he had sold it to a man in Ludlow Street.

Sworn to before me this..... day

of.....

March 1896  
J. White

Police Justice.

9

POOR QUALITY  
ORIGINAL

0037

Police Court—2 District.

City and County } ss.:  
of New York,

of No. 182 Chrystie Henry Stern Street, aged 29 years,  
occupation Cigar Store being duly sworn

deposes and says, that the premises No 182 Chrystie Street,  
in the City and County aforesaid, the said being a four story brick  
Dwelling and store

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

and his wife Rosa  
were BURGLARIOUSLY entered by means of forcibly breaking  
open the rear door of said premises  
on the first floor

on the 28 day of February 1880 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

One gold  
watch chain and pocket of the  
value of one hundred and fifty  
dollars.

\$ 150-

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

Louis Rosenbloom

for the reasons following, to wit: The said watch and chain  
were in deponent's vest pocket when  
deponent lay on the bed in said  
premises when deponent went to bed  
on the night of Feb 27 1880, and  
when deponent retired he locked  
up the said premises securely. Deponent  
was awakened by his wife Lena  
Stern about 6 o'clock A.M. on said



POOR QUALITY  
ORIGINAL

0038

date and the said Rosa informed  
deponent that she had heard a noise  
and saw the defendant near the  
door of said premises. Deponent  
got out of bed and then found  
the door of said premises open  
and the said property was missing  
and the said Lerie saw the  
defendant run off, and the  
defendant admitted to Officer  
Wm J Cosgrove and Grady, now here  
(now here) that the defendant  
had over the said wall to a  
man in Indian dress whose  
name he could not give

Sworn to before me this 4 day

of March 1892

Henry Kern

A J White

Police Justice.

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
vs.  
Burglary Degree.

Dated 1881

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

POOR QUALITY  
ORIGINAL

0039

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged \_\_\_\_\_ years, occupation Rosa Stern of No.

112 Chrystie Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Henry Stern

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

Sworn to before me, this

day of

188

A. J. White  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged \_\_\_\_\_ years, occupation William F. Cosgrove of No.

30 Mulberry St Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Henry Stern

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

Sworn to before me, this

day of

188

A. J. White  
Police Justice.

POOR QUALITY  
ORIGINAL

0040

CITY AND COUNTY {  
OF NEW YORK, } ss.

*Dennis Grady*

aged 26 years, occupation Deleator of No.

900 Mulberry Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Henry Stern

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

Sworn to before me, this

day of

1888

4

Dennis Grady

Police Justice.



POOR QUALITY  
ORIGINAL

0041

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Louis Rosenbloom*

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.

*Louis Rosenbloom*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*Russia*

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

Answer.

*Whee*

Question. What is your business or profession?

Answer.

*Tailor*

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*

*Louis Rosenbloom*

Taken before me this

day of

*March*

1938

at

*Whee*

Police Justice.

POOR QUALITY  
ORIGINAL

0042

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

Police Court... District...

2 364

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry Stern  
of 182 Chambers St.  
Louis Rosenblum

Offence Burglary

Dated March 4 1890

White Magistrate.

Creedy & Co. Officer.

C O Precinct.

Witnesses Call the Officer

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

Leona Stern

No. 172 Street \_\_\_\_\_

Robert Stern

No. 182 Street \_\_\_\_\_

William Stern

David Stern

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 \_\_\_\_\_

Louis Rosenblum

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 March 4 1890 A. J. White 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.

POOR QUALITY  
ORIGINAL

0043

2 DISTRICT POLICE COURT.

THE PEOPLE  
ON COMPLAINT OF  
Henry Stern  
agst.  
Louis Rosenbloom

Examination had March 4 1880  
Before Andrew J. White Police Justice.

I, W. L. Arnusky Stenographer of the 2 District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of Henry Stern Rosa Stern William J. Cosgrove as taken by me on the above examination before said Justice.

Dated March 4 1880

A. J. White  
Police Justice.

W. L. Arnusky  
Stenographer.



POOR QUALITY  
ORIGINAL

0044

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Samuel Rosenbloom*

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

*Samuel Rosenbloom*

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

The said *Samuel Rosenbloom*,

late of the *Fourth* Ward of the City of New York, in the County of New York  
aforesaid, on the *28th* day of *February*, in the year  
of our Lord one thousand eight hundred and *ninety*, with force and arms, about the  
hour of *six* o'clock in the *day* time of the same day, at the Ward,  
City and County aforesaid, the dwelling house of one *Henry Stern*,

there situate, feloniously and burglariously did break into and enter, there being then and there  
some human being, to wit: *the said Henry Stern*,

within the said dwelling house, with intent to commit some crime therein, to wit: the goods,  
chattels and personal property of the said *Henry Stern*.

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

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

POOR QUALITY  
ORIGINAL

0045

SECOND COUNT—

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

Louis Rosenbloom  
of the CRIME OF ~~Grand~~ LARCENY in the second degree, committed as follows:

The said Louis Rosenbloom,

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

one watch of the value of one hundred  
dollars, one chain of the value of  
thirty dollars, and one locket of the  
value of twenty dollars,

of the goods, chattels and personal property of one Henry Stern,

in the dwelling house of the said Henry Stern,

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

James P. Bellows  
District Attorney

0046

**BOX:**

390

**FOLDER:**

3632

**DESCRIPTION:**

Rosina, Concetta

**DATE:**

03/13/90



3632



POOR QUALITY  
ORIGINAL

0047

Witnesses:

Joseph Alvarado

Ag. Casarao

Counsel,

Filed

day of

1887

Pleads,

THE PEOPLE

vs.

22 Morton

reunited

Concetta Roma

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

JOHN R. FELLOWS,

District Attorney.

Part 3 April 3

A TRUE BILL

John Hamer Rhoads

Foreman.

Part III April 3/90

True and correct

W. A. C. W. 2/10/90

arranged by

W. A. C. W. 2/10/90

W. A. C. W. 2/10/90

POOR QUALITY  
ORIGINAL

0048

Police Court—1—District.

CITY AND COUNTY } ss.  
OF NEW YORK,

of No. 70 1/2 James Street,

78. Babcock being duly sworn, deposes and says, that

on Sunday the 2<sup>d</sup> day of March

in the year 188 at the City of New York, in the County of New York

he was violently and feloniously ASSAULTED and BEATEN by

Concetto  
Rosini (nowhere) who  
willfully pointed aimed  
and discharged at deponent  
body two shots from a revolving  
pistol then and there  
in the hand of the said Rosini

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 13 day  
of March 188

Joseph Alianella  
juror

W. M. Donaldson POLICE JUSTICE.

POOR QUALITY  
ORIGINAL

0049

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer.

*Concetta Rosina*

Question. How old are you?

Answer.

*22 Years*

Question. Where were you born?

Answer.

*Italy*

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

Answer.

*15 Roosevelt Street 3 Months*

Question. What is your business or profession?

Answer.

*Housekeeper*

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

Answer.

*I am guilty of the Charge*

*Concetta Rosina*  
*Muni*

Taken before me this

day of *March* 1892

*Alfred J. ...*

Police Justice.



POOR QUALITY  
ORIGINAL

0050

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

Police Court---

1369  
District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Joseph A. Williams*  
*204 1/2 Jones St*  
*Sancti William*

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence

*Cassius*

Dated

*March 3*  
*1890*

*W. M. M. M. M.*  
Magistrate

*W. M. M. M. M.*  
Officer

Witness

*John Williams*  
*John Williams*  
Street

No.

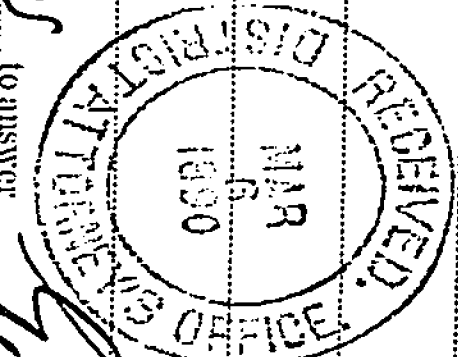
Street

No.

Street

No.

Street



to answer

Street

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

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

Dated *March 3* 1890 *W. M. M. M. M.* 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.

005-1

----- x  
:  
The People of the State of New York, :  
:  
                    against                 : Before  
:  
   : Hon. Frederick Smyth  
   : and a jury.  
:  
C o n c e r t a   R o s s i n i .       :  
:  
----- x

Indicted for assault in the first degree.

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

Assistant District-Attorney Wm. T. Jerome.

Mr. G. R. Westerfield.

I am a laborer and a native of Italy. I have known the defendant for two years, ever since I have been in the country. I lived in the same house with her for a month. On the 2d. of March, I was asleep in the morning and she came up into my room on the third floor of No. 7<sup>1/2</sup> James Street. She came directly up and opened the door without knocking. She says to me, "My husband has turned me out of the house", and I answered her that I had nothing to do about that". I told her to go away. She

**POOR QUALITY  
ORIGINAL**

0052

2

remained in my room until I dressed, and then I told her again to leave the room. She remained there nearly two hours. She then told me that I had to bring her to live with me as my wife, and I told her to go back to her husband, that he was looking for her. I dressed myself and went down and stood at the door. She came down after me and came up quite close to me and said: "Listen". I went quite near to her because I believed she wanted to talk to me, and the first thing I knew she fired a shot from a revolver right close by my ear. She then asked me if I would take her back to my home, and I said no, and she fired a second time. Neither of the shots hit me. I then ran and she followed me and fired two shots while I was running.

**CROSS EXAMINATION:**

I had been living in the same apartments with this woman and her husband, but was chased out of the house by her husband because he thought that his wife and myself cared for each other. I only stayed there one month. I don't remember the name of the street where I lived with her and her husband. I am certain that she called me to her and asked me to listen, then she fired. While I was running, I am certain that I heard two shots.



**POOR QUALITY  
ORIGINAL**

0053

3

J O H N C A N A V A N, a witness for the People, sworn testified:

I am an officer of Police in this city. I was on duty in Oak Street on the morning of the 2d. of March. I saw this woman fire three shots from a revolver at the corner of James and Oak Streets. I was going east and she was coming west, and when she was within about a hundred feet of me I saw her fire three shots at this Italian.who has just been on the stand. I went up to her, took the revolver away and arrested her. I found three empty shells in the revolver when I examined it.

CROSS EXAMINATION:

I am certain that I heard three reports of the pistol on that morning. I was only about a hundred feet away from the woman at the time she fired the shots. It was on the corner of James and Oak Streets. I saw the pistol in her hand at the time she fired the shots.

D E F E N C E.

C O N C E R T A R O S S I N I, the defendant, sworn, testified:

I lived in James Street, No. 15, at the time of this occurrence, with my husband. I knew the complainant in Italy and knew him in this country for about a year. He

**POOR QUALITY  
ORIGINAL**

0054

4

lived in my house with myself and my husband for about a month. We were quite intimate together while he lived in my house, and this excited the jealousy of my husband. As the result of this he turned both of us out of the house. He told me one day that he would kill me. The revolver which I had in my possession when I was arrested my husband gave to me. He bought it in a gun store on the Bowery, and when he brought it home he said to me: "I have bought this revolver for you and now I am going to load it, and I am going to rub the bullets with garlick. You must go and kill Guiseppi and if you don't kill him, I will kill you." I answered him that I was afraid to do it, and he again told me if I did not kill him by tomorrow I could count myself as dead.

On one Saturday night he accompanied me to the ferry where Guiseppi would arrive from his work. He told me I must shoot him as soon as I see him. My husband left me there and as soon as he was gone I ran away. He again threatened me that I must kill Guiseppi. On the morning in question I awoke very early and my husband told me to go and kill Guiseppi, and if I did not kill him he would kill me when I came back. He told me that nothing would happen to me as I was a woman and the law would defend me. My husband then went downstairs and waited on the corner of James Street while I went up into Guiseppi's house. When I shot at Guiseppi my husband was on the opposite corner of the street watching that I should do

**POOR QUALITY  
ORIGINAL**

0055

5

as he directed me. I fired shots in the air with no intention of hitting the man at all. I was quite close to him and if I wished I could have killed him with the bullets from the revolver.

**CROSS EXAMINATION:**

My husband put the bullets in the pistol for me. I do not know anything about fire arms or revolvers at all. It was about six o'clock in the morning when my husband loaded the revolver and directed me to go and kill Guiseppi. I took the pistol with me in my pocket and had it in my pocket all the time I was in Guiseppi's room, and if I wished I could have killed him then.

The jury returned a verdict of "guilty of assault in the second degree".



POOR QUALITY  
ORIGINAL

0056

Indictment filed Mar. 13 1890

COURT OF GENERAL SESSIONS

Part III.

The People &c.

against

CONCERTA ROSSINI.

Abstract of testimony on

trial New York, April 3rd

1890.

POOR QUALITY  
ORIGINAL

0057

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Concetta Rosina

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

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

The said

Concetta Rosina

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

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

The said

Concetta Rosina

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 Joseph Alianello in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and to, at and against him the said

Joseph Alianello  
a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,  
which the said Concetta Rosina

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

JOHN R. FELLOWS,

District Attorney.

0058

**BOX:**

390

**FOLDER:**

3632

**DESCRIPTION:**

Russo, Tony

**DATE:**

03/25/90



3632



0059

POOR QUALITY  
ORIGINAL

Witnesses:

*John J. Sany*

165 *J. J. Walsh*

Counsel,

Filed, *25* day of *March* 188*9*

Pleads, *Not Guilty*

THE PEOPLE,

vs.

*Yong Ruess*

*March 1/93*  
Sent to the Court of Special Sessions for trial, by request of Counsel for Defendant.

*H. R.*

VIOLATION OF EXCISE LAW

(Keeping Open on Sunday.)  
[III Rev. Stat. (7th Edition), Page 1080, Sec. 5.]

JOHN R. FELLOWS.

District Attorney.

A True Bill.

*John J. Sany*

Foreman.

POOR QUALITY  
ORIGINAL

0060

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Tony Russo*

The Grand Jury of the City and County of New York, by this indictment,  
accuse *Tony Russo*  
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG  
AND SPIRITUOUS LIQUORS, WINES ALE AND BEER, committed as follows:

The said *Tony Russo*  
late of the City of New York, in the County of New York aforesaid, on the  
*second* day of *March* in the year of our Lord one  
thousand eight hundred and ~~eighty~~ *ninety*, the same being the first day of the  
week, commonly called and known as Sunday, being then and there in charge of, and  
having the control of a certain place there situate, which was then duly licensed as a  
place for the sale of strong and spirituous liquors, wines, ale and beer, with force and  
arms, at the City and County aforesaid, the said place so licensed as aforesaid, unlawfully  
did not close and keep closed, and on the said day the said place so licensed as aforesaid  
unlawfully did open and cause and procure, and suffer and permit to be open, and to  
remain open, against the form of the Statute in such case made and provided, and against  
the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

*District Attorney.*

0061

**BOX:**

390

**FOLDER:**

3632

**DESCRIPTION:**

Ryan, Edward

**DATE:**

03/17/90



3632



0062

**BOX:**

390

**FOLDER:**

3632

**DESCRIPTION:**

McElroy, William

**DATE:**

03/17/90



3632

POOR QUALITY ORIGINAL

0063

Witnesses:

93.

Counsel,

Filed

17 May of 1889

Pleads,

THE PEOPLE

vs.

Edward Ryan

and

William McEwen

JOHN R. FELLOWS,

District Attorney.

Robbery, [Sections 224 and 225, Penal Code].

A TRUE BILL.

Foreman.

7/1 S.P. 15 yrs) at 1890  
202 S.P. 10 yrs) at 1890

April 10th 1890  
S.D.

POOR QUALITY  
ORIGINAL

0064

Police Court

2

District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

William Cavanagh

of No 222 West 19 Street,

being duly sworn, deposeth and saith, that on the 5 day of March  
1880, at the 20th Ward Ward of the City of New York, in the County  
of New York, was feloniously taken, stolen, and carried away, from the person of deponent  
by force and violence, without his consent and against his will, the FOLLOWING PROPERTY, VIZ:

one silver watch of the value of  
twenty three dollars:-

\$23

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

Edward Ryan and William  
McElroy (now here) under the  
following circumstances:- Deponent  
was in a saloon at the No 281  
Spencer Avenue, about 7 o'clock  
A.M. on said date and Deponent  
then had the said watch in his  
vest pocket attached to a chain.  
The defendants were in said  
saloon and the said Ryan  
grabbed the said watch as  
Deponent was going out of the  
door. At that time the said  
Ryan was compelled to return  
the said watch. Deponent

day of

188

Sworn before me, this

Police Justice.



POOR QUALITY  
ORIGINAL

0065

went out of the saloon and  
then on the sidewalk defendant  
was again attacked by two men  
and thrown down, and one  
of the men who threw defendant  
down was the said Ryan  
and the said Mc Elroy was  
then present and participated in  
said assault, one of them  
tugged at defendant's watch and  
broke the chain, but did not  
succeed in getting the said  
watch away, although the said  
watch was moved in  
defendant's pocket. Defendant  
charges that defendants acted  
in concert in the said robbery.

Sworn to before me this..... day

of March 1890  
[Signature]  
Police Justice.

William Cavanagh  
Mark

Police Court— District.

AFFIDAVIT—ROBBERY.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

vs.

Dated

188

Magistrate.

Officer

Witnesses:

POOR QUALITY  
ORIGINAL

0066

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

William McCloy 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 McCloy

Question. How old are you?

Answer.

32 Years

Question. Where were you born?

Answer.

New York

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

Answer.

28<sup>th</sup> Street

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  
Wm McCloy

Taken before me this

day of

1894

Police Justice.

POOR QUALITY  
ORIGINAL

0067

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Edward Ryan 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 Ryan

Question. How old are you?

Answer.

29 Years

Question. Where were you born?

Answer.

New York

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

Answer.

415 West 60th Street

Question. What is your business or profession?

Answer.

Prand 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

Edward X Ryan  
Mark

Taken before me this

day of

189

Police Justice.



POOR QUALITY  
ORIGINAL

0058

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

23. *File*  
Police Court 2 384  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*William Cummings*  
222 No. 19 St.  
*Edward W. Smith*  
*William W. Smith*  
Offence *Robbery*

Dated *March 6* 1890  
*White* Magistrate.

*Joseph R. Conner* Officer.  
16 Precinct.

Witness *Edward J. Hale*  
No. 265 West 70 Street.

*Frank Henderson*

No. 245 West 70 Street.

No. *10 West 70 Street*

No. *10 West 70 Street*

*Barry*

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 *March 6* 1890 *White* 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.

POOR QUALITY  
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0069

6/ 10 C  
70  
50 C

THE PEOPLE

COURT OF GENERAL SESSIONS, PART I.

vs.

EDWARD RYAN

and

WILLIAM McELROY .

BEFORE JUDGE COWING.

Friday, April 11, 1890.

Indictment for robbery in the first degree.

Asst. Dist. Atty. Bedford for the People.

Mr. A. H. Purdy for the Defendants.

A Jury was empannelled and sworn.

William Cavanagh sworn and examined.

By Mr. Bedford. Q. What is your name.

A. William Cavanagh.

Q. Where do you live.

A. No. 222 West 19th Street.

Q. In this city.

A. Yes sir.

Q. Were you in a saloon on Seventh Avenue about seven o'clock in the morning on March 5th.

A. Yes sir.

Q. Whose saloon was it.

A. I cannot tell you his name, I cannot think of his name.

Q. On what street.

A. On the southwest corner of 27th Street and Seventh Avenue.

Q. When you went in were those two men in the saloon or did they come in the saloon after you went in.

A. I did not see them when I went in.

Q. How long were you there before you saw them.

A. I may have been there about ten minutes before I came out.

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ORIGINAL**

0070

I saw two standing in the corner in the room.

Q. During the time that you were there you saw them.

A. I saw them there.

Q. That is these two men, the prisoners Ryan and McElroy.

A. Yes sir.

Q. What did that man sitting next to Mr. Parry do to you while in the saloon.

A. He was the first man grabbed me and took the watch.

Q. What watch, your watch.

A. Yes sir.

Q. What was the value of it.

A. Twenty-three dollars.

Q. Where was the watch.

A. In my left pocket.

Q. Tell the jury what he did to you when he took it.

A. As I was going out of the side door in 27th Street this man Ryan grabbed me; "I want that watch"; "no, you can't"; "yes, I will", he says. So with that in a moment it was gone and the two of them skipped into a closet that was there.

Q. Did he hit you when he took it in the saloon.

A. No sir.

Q. He did grab your watch.

A. Yes sir, grabbed me by the collar; "I want this watch", and put his hand on it.

Q. He took you by the collar.

A. Yes.

Q. Did he hold you.

A. He hold me up against the jamb of the door.



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Q. He held, you that way against the jamb of the door and then actually took your watch from your person.

A. Yes sir.

By the Court. Q. It was worth twenty dollars you say.

A. Twenty-three dollars.

By Mr. Bedford. Q. After he grabbed your watch did he actually take it away from you.

A. Yes sir.

Q. And he went to a closet .

A. Yes sir.

Q. What did you do.

A. I went in and told the proprietor that these men were in his place and were just after taking my watch.

Q. You told the proprietor that.

A. Yes sir.

Q. What happened then after that.

A. The proprietor told me to keep still and he would get me the watch, and finally in a couple of minutes, maybe five minutes afterwards, he got me back the watch and gave it back to me.

By Mr. Pardy. Q. Do you know who he got it from.

A. No, I do not know who he got it from.

By the Court. Q. Who was there when he took it from you.

A. Mr. Ryan and his companion was present.

Q. What did he do.

A. I did not see him doing anything, I was kind of stunned at the time.

By Mr. Bedford. Q. Who stunned you.

A. I did not know what I was doing when he grabbed hold of me.

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Q. Did he take a firm hold of you.

A. Yes sir.

Q. Held you up against the door.

A. He held me and just took the watch out of my pocket and got it and was skipping away.

By the Court. Q. That is Ryan did that.

A. Yes sir.

By Mr Bedford. Q. When Ryan held you up against the jamb of the door and took your watch as you described, where was McElroy.

A. He was standing inside.

Q. How far from him.

A. I could not say.

Q. How long did you remain in the saloon after your watch was returned.

A. Not five minutes.

Q. You left, did you leave alone.

A. I left alone.

Q. Did these men follow you out.

A. Yes, they went out of the side door and I went out of the front door and they met me on the corner.

Q. What did they do to you when they met you at the corner.

A. Threw me down right on the corner.

Q. Threw you down.

A. Yes sir.

Q. Which one threw you down, did both of them grab you.

A. Both of them done it, I could not say which ~~two~~ of the two was strongest but the both were at me, I did not know any more when they had me down.

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- Q. Before you got down do you tell this Jury that they seized hold of you.
- A. Both had hold of me.
- Q. Both of them.
- A. Yes sir.
- Q. Are you sure that the man who held you in the bar-room and took your watch is Ryan.
- A. Yes sir.
- Q. Are you sure that McElroy was in the saloon at that time.
- A. Yes sir.
- Q. Are you sure that when you went out of the front door that the two men went out of the side door and grabbed hold of you, are you sure these are the two men.
- A. Yes sir.
- Q. When you were down what did they both or either of them do to you.
- A. I suppose that they done the best to take my watch and I done the best to keep it, that is all, I kept the watch as well as I could; they pulled and hauled and tried to get it and then the ring and the stem came off.
- Q. Did you find them.
- A. Yes sir, and the crystal.
- Q. Where did you find them.
- A. A man picked up the stem and I found the ring in my pocket.
- Q. Where was the stem found, on the sidewalk.
- A. Some man that came to my assistance gave it to me.
- Q. Was the chain broken.
- A. The chain was broken and the crystal both..
- Q. Where was the chain broken.
- A. Right at the ring, the swivel.



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By the Court. Q. They did not get your watch and chain the second time.

A. No sir.

By Mr. Bedford. Q. The ring and the stem of the watch came out, and the stem was found on the sidewalk.

A. Yes sir.

Q. It was your property, your watch.

A. Yes sir.

Cross Examined by Mr. Parry.

Q. You have got it now.

A. Yes sir.

Q. You are a coachman, are you not, Mr. Cavanagh.

A. Yes sir.

Q. Where do you work, Mr. Cavanagh.

A. Mr. Miles' stable.

Q. How far is that from *Maurice's* ~~Merle's~~ saloon.

A. No. 44 West 19th Street is where I work.

Q. What time did you get up that morning.

A. What do you mean?

Q. Out of bed.

A. I was not in bed at all, I was up in 32nd Street with a sick brother-in-law of mine, that was sick all night long and I was going home in the morning.

Q. You came there to Merle's saloon, did you.

A. Yes sir, on my way home.

Q. Stopped in to get a drink about seven o'clock.

A. Yes sir.

Q. Who was the lady that was with you.

A. I met her at the door, she asked me would I give her a glass of beer. I says yes, I could not tell you who she is.

**POOR QUALITY  
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0075

- Q. At seven o'clock in the morning.
- A. Yes sir.
- Q. You met the lady outside the door.
- A. At the door.
- Q. So you and the lady went in.
- A. Yes sir.
- Q. Was the lady drunk.
- A. No sir, not as I know of.
- Q. You had never seen her before.
- A. No sir.
- Q. A strange lady.                      A. A stranger to me.
- Q. You went in with her and sat down in a little private ladies room, did you not.
- A. Yes sir.
- Q. And had the drink served in there, did you not.
- A. Yes sir.
- Q. And how long do you suppose you stayed there.
- A. No, more than fifteen minutes, as I said before.
- Q. No more than fifteen minutes.
- A. NO.
- Q. You do not say that you saw either one of these defendants when you went in.
- A. Not when I went in.
- Q. Whom did you see when you went in.
- A. Nobody only the bar-tender.
- Q. The proprietor was not there.
- A. Not that I know of, I could not tell.
- Q. You sat in the box with the lady.
- A. It is not a box, it is a room.
- Q. It is a saloon having special accommodations for ladies,

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They have what they call a family entrance there, a private entrance, there is a little place where the ladies go.

Q. You mean a little place to drink.

A. Yes sir.

Q. Well then, after you had been there about fifteen minutes you started to go out.

A. Yes sir, to go home.

Q. With the lady.

A. No sir.

Q. Where was she.

A. I could not tell you where she was, she was not there at the time.

Q. Had she gone and left you.

A. I suppose so, she was not my company.

Q. You went into that saloon with this woman.

A. Yes sir.

Q. You sat down in this room with her alone and you say you stayed there fifteen minutes.

A. About fifteen minutes altogether.

Q. Then she got up and went out, did she.

A. I do not know where she went.

Q. Did she leave the room.

A. She must have, I did not see her any more.  
By the Court.

Q. Did you leave the room.

A. Yes sir.

Q. Did you leave her in the room.

A. I did not see her.

Q. Was it dark.

A. The room was dark.



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Q. How did she happen to skip you.

A. I do not know, I did not see her go.

By Counsel. Q. Was it dark at seven o'clock in the morning.

A. Yes sir.

Q. Were not you so much under the influence of liquor that you were very hazy.

A. If I was I would not know what happened me.

Q. You do not know what became of the lady.

A. No.

Q. You were going out of the side door.

A. Yes sir.

Q. Ryan stepped up to you as you were going out.

A. Yes sir.

Q. He had not spoken to you before, he had not said anything to you before.

A. No, I never seen the man before.

Q. He stepped up and seized you by the collar and said, "I want that watch".

A. Yes sir.

Q. What did you say.

A. "You can't have it"; he said, "yes, I will", and he took it out of my pocket deliberately.

Q. What were you doing.

A. I could not do any more than I did.

Q. He had you by the collar.

A. Yes sir and he took the watch with the other hand.

Q. What was there to prevent your giving it to him right in the nose.

A. I aint a fighter.

Q. Do you stand still and let a man take your property, you a

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coachman.

- A. Yes, it was taken anyway.
- Q. You made no resistance.
- A. NO.
- Q. Why didn't you.
- A. I could not. I did not have time, it was gone in a second.
- Q. After the watch had been taken you say the other man was inside.
- A. They were both in the same room.
- Q. How do you know he was.
- A. Because I saw them. that is the reason.
- Q. In the same room.
- A. In the same room.
- Q. Was this in the hallway.
- A. In the same room.
- Q. In the same saloon.                      A. Yes sir.
- Q. Where was the bar-tender.
- A. He was at the bar of course.
- Q. How far away.
- A. Adjoining this room.
- Q. Adjoining this room.
- A. Yes sir.
- Q. Was this the little room where you took the lady into.
- A. The same room.
- Q. How did they come in.
- A. I don't know, sir.
- Q. Where was the lady when you were robbed.
- A. She was gone then, there was nobody there but the three of us, that is all.
- Q. You say he took the watch and went back into the bar-room.

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- A. He went into some kind of a closet.
- Q. You went into the bar-room.
- A. Yes sir, I went to the proprietor.
- Q. When did you first go in.
- A. He was standing on the floor when I went in, I met him on the floor.
- Q. Did you tell him this man had taken your watch.
- A. Yes sir, and that they were in his place.
- Q. And he said he would get it back.
- A. He said he would get it back.
- Q. He came to you afterwards and gave it back to you, you are sure of that.
- A. Yes sir, sure, the proprietor gave me the watch.
- Q. You cannot be mistaken about that.
- A. No sir.
- Q. You cannot be mistaken but what it was Ryan took the watch.
- A. Yes sir.
- Q. How many drinks did you have altogether in the saloon.
- A. Two drinks.
- Q. You were not there altogether over fifteen minutes.
- A. No sir.
- Q. You got the two drinks, you got robbed, and that whole thing was done in fifteen minutes.
- A. I say I was there only fifteen minutes all told.
- Q. Weren't you there over an hour.
- A. No sir.
- Q. Then you started out you say, to go away from there.
- A. Yes sir.
- Q. After you got back your watch did you see these men in the saloon.



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- A. No sir, I did not see them any more.
- Q. There was nobody in the saloon excepting these two men, the proprietor and the bar-tender.
- A. I did not see these two men when I got that watch.
- Q. Any time you saw nobody but the lady and the proprietor and the bar-tender.
- A. No.
- Q. You never saw the lady before, you are sure.
- A. No sir.
- Q. How far did you go from the saloon before you say these two men attacked you.
- A. Right on the corner they threw me down.
- Q. Both of them threw you down.
- A. Yes sir.
- Q. And tried to get your watch.
- A. Yes sir.
- Q. Which of them grabbed you.
- A. That I could not tell you.
- Q. What was there to prevent your getting up.
- A. I was down and two men were on top of me.
- Q. What was to prevent their taking the watch.
- A. They did not have time because people passing by came to my assistance, that was the only thing saved me.
- Q. You got up and where did you go then.
- A. I went to start home and then went to the Police Station and went back from home to the station house afterwards.
- Q. Did you change your clothes.
- A. No sir.
- Q. What time did you arrive at the Station House.
- A. That I cannot tell you, I did not keep an account of the hour.

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- Q. Well, about what time.
- A. It may be nine o'clock in the morning, when I got to the Station House, I do not know, that is the best of my opinion.
- Q. There you saw Mr. Carey, did you.
- A. Yes sir.
- Q. And then you went and had these men arrested.
- A. I did not, I made the complaint there.
- Q. When did you next see the men.
- A. I saw them the following morning at Jefferson Markey.
- Q. Did you know them.
- A. Yes sir.
- Q. Who pointed them out to you, did Carey point them out to you.
- A. No sir.
- Q. Who did point them out to you.
- A. Well, I was asked if these were the men and I said yes.
- Q. You were asked if these were the men that robbed you.
- A. Yes sir, that is all I know about it.
- Q. Do you recollect a gentleman by the name of Mr. Conlin. having called on you, you saw him in Court here to-day.
- A. A friend of Mr. Ryan's?
- Q. Yes.
- A. Yessir, himself and Mr. Ryan's mother called on me I guess a couple of nights following.
- Q. Well, did not you tell Mr. Conlin that you would not know these men from a crow.
- A. I did not.
- Q. But that Carey pointed them out to you.
- A. I did not.

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- Q. Did not you tell Conlin that you were sorry that you made the charge.
- A. I said if I knew it would put me to so much trouble I could not have time to press it.
- Q. Did not you say you were very sorry you made the charge but Carey compelled you to do it.
- A. No sir.
- Q. Did not you say that to Mr. Conlin.
- A. I do not remember that I did.
- Q. Did not you say that the watch was not worth two dollars.
- A. No, I could not say that for I paid twenty-three dollars for it more than a year ago.
- Q. And second hand at that.
- A. No sir, I have it here now.
- Q. Did you drink anything during the night up at your brother's.
- A. I had two glasses of beer at my brother-in-law's, I was up all night.
- Q. And you had two in this place.
- A. Yes sir.
- Q. That is all you had.
- A. That is all I had sure, I am not a drinking man in any shape.
- Q. You were not drunk.
- A. No sir.



**POOR QUALITY  
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0003

Edward J. Merle sworn and examined.

By Mr. Bedford. Q. Where do you live, Mr. Merle.

A. No. 283 West 30th Street.

Q. Were you in the saloon about seven o'clock on the morning of the 5th of March.

A. Yes sir.

Q. Did you see the gentleman who has just left the witness-stand.

A. Yes sir, I waited on him.

Q. Did you see Ryan and McElroy, the two men on trial.

A. Yes sir, I seen them in the saloon.

Q. The Complainant has described a robbery, he said that when he was in the saloon that a man stood him up in the jamb of the door, seizing hold of him and holding him that way as he held him (illustrating) and that he took that man's watch and went in a closet, did you witness any portion of that occurrence.

A. No sir, I know nothing about it.

Q. Did you see anything that happened on the sidewalk.

A. No sir, I was behind the bar.

Q. You were behind the bar the whole of the time.

A. Yes sir.

Q. You know nothing of the case.

A. No sir.

Cross Examined by Mr. Purdy.

Q. What time did Mr. Cavanagh come into the saloon.

A. He came in about a quarter past six I guess or a little after.

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- Q. Who was with him.
- A. There was a woman with him.
- Q. What was his condition as to sobriety.
- A. Well, he looked to me to be a little bit intoxicated, he was a little bit drunk.
- Q. He was a little intoxicated you say.
- A. Yes sir.
- Q. How about the woman.
- A. The woman was the same way.
- Q. Did they take a seat.
- A. He was there about half an hour and started making a noise.
- Q. What did they have.
- A. They had two drinks each.
- Q. And then afterwards started to make a little noise, what kind of noise.
- A. Well, loud talking.
- Q. And the woman also.
- A. Him and the woman, yes sir.
- Q. Then what did you do.
- A. I went in and told him if he did not keep quiet I would have to put him out.
- Q. Then what.
- A. Then he got up and he walked out.
- Q. Did they go out of the saloon together.
- A. Yes sir, they went out of the door.
- Q. Where did the woman go.
- A. The woman was in the place.
- Q. She remained there, she stayed behind.
- A. Yes sir, she stayed behind, she did not go out with him.

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- Q. When did you next see Cavanagh.
- A. Cavanagh came in about five minutes after he left the place saying that he lost his watch.
- Q. Did he say who took it.
- A. He did not say, he said there was a man in the store had his watch.
- Q. There was a man in the store had his watch.
- A. Yes sir.
- Q. Were Ryan and McElroy both there.
- A. They were in the store, yes sir.
- Q. At the time he said that the man had his watch.
- A. Yes sir.
- Q. Where he could see them too.
- A. Yes sir.
- Q. Did he charge either one of them with having his watch.
- A. No.
- Q. Was the proprietor there.
- A. The proprietor was there, yes sir.
- Q. What about the watch, who gave him back his watch.
- A. The proprietor came out from behind the bar; he says, "if there is any man in the place has got this man's watch, return it to him." So I believe it was Ryan, I don't know whether he handed him the watch, he picked up something near the door.
- Q. That was on the floor.
- A. Yes sir.
- Q. And handed it to the man Cavanagh.
- A. To the man Cavanagh.
- Q. And then Cavanagh left, did he.
- 17 A. Yes sir.



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ORIGINAL**

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Q. What became of Ryan and McElroy after that, how long did they stay after that, after Cavanagh left.

A. I was busy behind the bar and do not know.

Q. About how long.

A. I did not notice when either of them went out.

Q. You did not notice when either one of them went out.

A. No sir.

Q. Do you know whether they stayed any length of time or went right out after Cavanagh.

A. I think they had a drink before they went out.

Q. After Cavanagh left.

A. Yes sir.

Q. How long did they remain after Cavanagh left.

A. I did not take notice, either five or ten minutes.

Q. You are sure that they remained after he left, and you are sure they had a drink anyway after he had left.

A. Yes sir.

By Mr. Bedford. Q. Do you know these defendants.

A. I know them about three months, while I was attending bar there.

Q. Which one do you know.

A. Edward Ryan.

Q. How long have you known him.

A. About three months, while I was attending bar there.

Q. They are constant visitors there.

A. Yes sir.

Q. Is the proprietor of this saloon here.

A. Yes sir.

Q. You say the proprietor said after this complainant said that

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0007

somebody had robbed him, "if there is any man in this saloon has got this watch, give it up to him."

A. Yes sir.

Q. You say Ryan gave the watch up.

A. Yes sir, I noticed him stoop, I don't know whether he picked it up from the floor or not.

Q. When the proprietor said, "give that man his watch", what did Ryan do.

A. Ryan stooped down and picked up something.

Q. Nobody else stooped down and picked up something.

A. No.

Q. Where was it, in the jamb of the door.

A. Yes sir, there is a storm door and a side door.

Q. Precisely where he says Ryan robbed him of his watch, when the proprietor said, "if anybody has got that man's watch, give it up", you saw Ryan stoop down at that particular spot and he had the watch in his hand.

A. Yes sir.

By Counsel. Q. Did he say anybody had robbed him of his watch then.

A. He said a man took his watch, that is all he said.

Q. Did he say that it was either one of these men.

A. No, he did not say.

Q. They were right in front of him.

A. Yes sir.

By Mr. Bedford-

Q. How far off were you when he made this accusation to the proprietor.

A. From here to that far railing. (Pointing.)

Q. You do not know what he said to the proprietor, if he said anything, do you, I mean the complainant.

A. Yes, I heard him say that he lost his watch, I did not

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ORIGINAL**

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hear him say anything else.

Q. You were busy mixing drinks.

A. Yes sir.

By Mr. Purdy. Q. Did he say, "I have been robbed of my watch", or  
"I have lost my watch."

A. He said a man in the store had taken his watch away from  
him.

Q. What was his language as near as you can recollect it, it  
is important for us to know what the Complainant's language  
was, did he say, "I have lost my watch", or "a man has ta-  
ken my watch", or "a man in your store has got my watch."

A. "A man in your store has taken my watch"; he was out on  
the street and he came in this door, he had been out on  
the street.

By Mr. Bedford. Q. After the proprietor said, "give it up if any-  
body has got it here", Ryan gave it to the Complainant.

A. Yes sir.

Frank Maunders sworn and examined.

By Mr. Bedford. Q. Mr. Maunders, are you the proprietor of this  
saloon in Seventh Avenue.

A. Yes sir.

Q. Were you there on March 5th about the hour of seven in the  
morning.

A. Yes sir.

Q. You saw Mr. Cavanagh, the witness in the witness- box did  
you not.

A. Yes sir.



**POOR QUALITY  
ORIGINAL**

00009

- Q. He tells us that while he was in your saloon Ryan seized hold of him and stood him up against the door and took his watch and then he says that he went to you and made his complaint to that effect, is that so.
- A. Well, it was not exactly that way, no sir, it was the bartender told me that he had lost his watch, I was in the office at the time and I came out.
- Q. Ryan was there was he not.
- A. He was not in the store at that time, no, he was outside but came in after that.
- Q. Was the Complainant in the store.
- A. Not at that moment, no sir, he came in afterwards.
- Q. He said he was robbed of his watch, what did you say as the proprietor of the saloon.
- A. I insisted that he should get it back.
- Q. How many were in your saloon at that time.
- A. Well, I did not see anybody in the saloon but the man that lost the watch Ryan and the other party.
- Q. This McElroy.
- A. Yes sir.
- Q. Then when it was brought to your knowledge that this man had been robbed, as I understand it, you and the bar-keeper and the two prisoners and the Complainant were the only ones in the bar-room.
- A. That is all I remember.
- Q. If there had been any more you would have known it.
- A. Yes sir.
- Q. You and the complainant and the two prisoners and the bar-keeper were there.
- 21 A. We were the only parties in the store.

**POOR QUALITY  
ORIGINAL**

0090

- Q. The complainant, what did he say or what was said about the watch before you said, "whoever has got it must give it up".
- A. Ryan gave the watch up.
- Q. What was said before Ryan gave it up.
- A. Well, I do not remember anything that was said.
- Q. Did not you say you said "whoever has got this watch must give it up."
- A. Oh yes.
- Q. What caused you to say that, something must have been said or you never would have said that.
- A. Well, you understand I did not see the watch taken there in the place, I am telling you just what I saw in the place; the bar-tender was in the bar, he called me and said a man has lost his watch; I jumped up and said, "whoever has got it ----- I think the bar-keeper said, "Ryan has it."
- Q. Are you sure that the bar-keeper said that to you, that he thinks Ryan has got it. Then what did you say.
- A. Then I came out and then they came in the door together, and I asked "who has got the watch?" And the man that lost the watch said, "Ryan"; I went to Ryan and I insisted upon his giving the watch up; he took it out of his pocket and handed it to him.
- Q. You did not go over to the corner and pick it from the floor but when you said, "give that watch up", he took it out of his pocket and gave it to you.

No answer.

**POOR QUALITY  
ORIGINAL**

0091

Cross Examined by Mr. Purdy.

Q. You did not take it and give it back to him yourself, did you.

A. No sir.

Q. The complainant says you did, he says that he went to you and you told him that if the watch was there you would get it for him and he did not know where you got it.

A. No, he handed it directly to him.

By the Court. Q. That is Ryan handed it to the complainant.

A. Yes sir, he took it out of his vest pocket and handed it to him.

By Mr. Bedford. Q. You took it out of Ryan's pocket.

A. No sir, Ryan took it out of his own pocket.

By the Court. Q. That you are positive of.

A. Yes sir, I am positive.

By Mr. Purdy. Q. The complainant says that he came to you and made a complaint and subsequently you gave him the watch and he did not know where you got it.

A. I think he is mistaken and I am right.

Q. What was his condition.

A. He was not sober at the time, the man was drunk.

Q. What was your condition.

A. I was sober, I just came on.

Q. Then after this transaction what took place, did Cavanagh leave the saloon.

A. They all went out together, I think Cavanagh went out first and the other man followed him out.

Q. How long were they between.

A. I could not tell you how long.

Q. The bar-tender says they had drinks before they went out.

A. Yes sir, one man had a drink, McIlroy had a drink, Cavanagh



**POOR QUALITY  
ORIGINAL**

0092

had not left the store.

Q. Where was Cavenagh when McElroy had the drink.

A. He was examining his watch to see if it was injured.

Q. He went away apparently satisfied.

A. I could not tell you whether he was satisfied or not, he went out, that is all I know.

Q. ~~You said he had a drink.~~ You said he was drunk.

A. He could just about walk, that is all I can say about it, it looked to me as if he had been out all night and was pretty well soaked.

Q. Did you see a woman with him.

A. I did see the woman half an hour previous to that, I passed through the back of the store and I saw him sitting in a box with a woman, I think it was about half an hour.

George Logan sworn and examined.

By Mr. Bedford. Q. Officer Logan, are you a member of the municipal police of this city.

A. Yes sir.

Q. Did you make the arrest in this case.

A. Yes sir.

Q. This alleged larceny is said to have been committed at seven o'clock on March 5th.

A. Yes sir.

Q. When did you arrest the prisoners.

A. About two I guess of the same date.

Q. Where were they.

A. One was standing at the bar and the other one was in the

**POOR QUALITY  
ORIGINAL**

0093

room asleep in the same liquor store.

Q. What did you do with them when you took them.

A. I brought them to the Station House and sent for the complainant, he was not home; we brought them to the Court and had them remanded to the next morning and had the complainant there and he identified them.

Q. Did he identify them without hesitation.

A. Yes sir, Carey attended to that part of it while I was making out the complaint.

Q. That is all you know about it.

A. That is all I know about it.

Q.

Cross Examined by Mr. Purdy.

Q. What time was it you saw Mr. Cavanagh that morning, what time did you see Cavanagh the complainant that day.

A. About nine or half past nine o'clock.

Q. That is the first you saw of him.

A. Yes sir.

Q. You went to the saloon and you found these men there.

A. No sir, Mr. Maunders who owns the saloon, came down and told me they were there, I went up and got them.

By Mr. Bedford. Q. Was Cavanagh perfectly sober.

A. He looked like a man who had been drinking, I could not say that he was perfectly sober but he was not drunk.

**POOR QUALITY  
ORIGINAL**

0094

John C Carey sworn and examined.

By Mr. Bedford. Q. Officer Carey, what precinct do you belong to.

A. Sixteenth precinct.

Q. You are always on duty and therefore you were on duty at two o'clock in the afternoon of March 5th.

A. Yes sir.

Q. You are a detective.

A. Yes sir.

Q. From the central office.

A. No, I am from the 16th precinct, a precinct detective.

Q. Well, you were at the station house or the Court House were you not, about two P.M. on March 5th in the afternoon.

A. Yes sir.

Q. These two prisoners were there.

A. Yes sir.

Q. Was the complainant there.

A. No sir.

Q. Well, how long was it after they were there that the complainant came.

A. The next morning I think.

Q. Then the next morning the prisoners and the complainant were at the Station House.

A. At the Police Court.

Q. Well now what occurred there.

A. The complainant and the witnesses were taken before the Clerk and he made the complaint.

Q. He made the complaint, did he identify these men and then were they taken to the Tombs to await the action of the Grand Jury.

A. Yes sir.

Q. That is all you know about it.

A. Yes sir.

Mr. Bedford: That is the case for the People.



**POOR QUALITY  
ORIGINAL**

0095

The Case for the Defence.

Counsel: There is but one count in this indictment and I ask the learned District Attorney to indicate to us which transaction he holds us to under this indictment; there were two so called robberies on that morning.

The Court: One in the street and the other in the bar-room.

Counsel: Yes sir.

The Court: The one on the street there was no robbery of course, nothing was taken as I understand it.

Counsel: No sir.

The Court: The one in the bar-room Ryan stood him up.

Counsel: The other man was only present in the saloon; he says he looked in and saw him.

The Court: Is that the testimony?

Counsel: Yes, that is so.

The Court: If that is so it has escaped me; there is no evidence against McElroy. If they were crimes at all they were two separate crimes.

Counsel: The mere returning of the watch does not excuse him.

The Court: NO.

Counsel: There was no robbery committed in the street, there was an attempt.

The Court: The Jury may find there was. The evidence in the saloon is from eye witnesses and that in the street depends altogether on the testimony of the Complainant.

Counsel: Which transaction will I go to the Jury on.

Mr. Bedford: These men have been jointly indicted for robbery in the first degree. As I understand it, the jury have a right upon the entire testimony to acquit one and convict

**POOR QUALITY  
ORIGINAL**

0096

the other or convict both or acquit both.

The Court: I suppose Mr. Purdy means this, Judge Bedford, do you ask for a conviction of the full offence? I think you will be obliged to confine yourself to what took place in the saloon as against Ryan alone. If you ask for an attempt outside of the saloon I think the Jury may determine whether they were acting in concert. I think it would be fair to determine which one you are going to the Jury on, the alleged robbery that took place out of the saloon or the alleged robbery which took place in the saloon.

Mr. Bedford: If you order me I would prefer to go for the robbery committed in the saloon because the complainant is fully corroborated by a disinterested party, the proprietor who swears that Ryan gave up that watch when he said, "give up that watch."

Counsel: I ask your Honor to direct the Jury to acquit McElroy.

William Cavanagh recalled by the Court.

- Q. At the time your watch was taken away from you in the saloon where was McElroy.
- A. He was in the same room standing up.
- Q. What did he say.
- A. I do not know, I did not hear anything said.
- Q. What did he do.
- A. But the bar-keeper -----
- Q. What did the defendant do or what did you hear him say with your ears or see him do with your eyes.
- A. McElroy?

**POOR QUALITY  
ORIGINAL**

0097

Q. Yes sir.

A. Not in the saloon.

Q. You did not see him do anything.

A. The two got in a closet together where I was; there was a kind of a closet to my knowledge that they both went in and hid themselves away after Ryan took my watch.

By Mr. Bedford. Q. When Ryan stood you up and seized you and took your watch you say McElroy was standing by.

A. Yes sir, the room was not as wide as from here to there.  
(Illustrating).

Q. How near was McElroy at the time Ryan stood you up.

A. He was standing right behind him to the best of my knowledge.

Q. Right behind Ryan.

A. Yes sir.

Q. After Ryan took your watch they both left together.

A. Yes sir.

The Court: I think I will submit it to the Jury as to whether or not they were acting in concert in the saloon; it is a fair question for the Jury to determine whether they were not acting in concert.

By Mr. Burdy . Q. You say that this man was standing behind Ryan at the time Ryan took the watch.

A. Yes sir.

Q. But did not do anything nor say anything.

A. Not that I heard.

Q. You would have heard it, would you not.

A. I suppose I would, I was confused at the same time. Ryan said, "I got it", both skipped away, not out, inside.



**POOR QUALITY  
ORIGINAL**

0098

Q. They both went inside.

A. Yes sir.

Q. And then you went in to the bar-tender.

A. Yes sir, I did not go out of the place at all but came right in the side door.

Q. The proprietor says that instead of his giving you the watch it was Ryan gave you the watch.

A. No sir.

Q. He says Ryan took it out of his pocket and gave it to you.

A. No sir, the proprietor gave me the watch.

Q. He did not say who he got it from.

A. No sir. I did not see the men after any more.

By the Court. Q. I thought you did see them out in the street.

A. In the street but not in the place until I met them in the street.

By Mr. Purdy. Q. The proprietor said you were very drunk and the policeman said at nine o'clock you were under the influence of liquor.

A. If I was I could not remember all that happened.

Counsel: I ask your Honor to advise the jury to acquit McElroy.

The Court: There is some evidence from which the Jury might infer if it is true evidence that they were acting together.

Counsel: I ask your Honor to strike out the evidence as to what transpired afterwards in the street.

Mr. Bedford: That is evidence, I do not see how it could be stricken out, it was properly admitted.

Counsel: It has no bearing upon the alleged crime.

The Court: The only question is if it was charged as one transaction they would have a right to relate the whole transaction.

**POOR QUALITY  
ORIGINAL**

0099

Counsel: The Complainant says he was there fifteen minutes to half an hour before the watch was taken from him; after the watch was taken he found the proprietor, Ryan returned the watch and Cavanagh left the saloon, and that must have taken a good deal of time.

The Court: I do not see any particular harm in striking it out because you conclude to go to the Jury on what took place in the saloon. Let what took place outside of the saloon be stricken out.

The Counsel on both sides summed up to the Jury.

POOR QUALITY  
ORIGINAL

0 100

Testimony in the  
case of  
Edward Ryan  
vs. McElroy  
filed March  
1890



POOR QUALITY  
ORIGINAL

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## Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward Ryan and  
William McElroy

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

Edward Ryan and William McElroy

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

The said *Edward Ryan and William McElroy, both*

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

*one watch of the value of*  
*twenty three dollars,*

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

*Edward Ryan and William McElroy,*  
and each of them, being then and  
there aided by an accomplice actually  
present, to wit: each by the other.

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 P. Collins,*  
*District Attorney*

0102

**BOX:**

390

**FOLDER:**

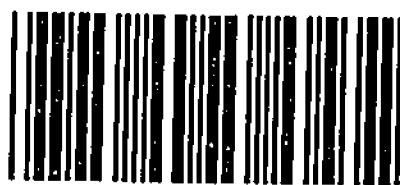
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**DESCRIPTION:**

Ryan, James

**DATE:**

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3632

POOR QUALITY  
ORIGINAL

0103

Witnesses;

*Mr. Hager*

Counsel,

Filed

*Do day of March 1890*

Pleads,

THE PEOPLE

vs.

*James Bryan*

Grand Larceny Second Degree.  
[Sections 528, 584 — Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill

*John H. R. R. R.*

*March 1890* Foreman.

*Glendon C. J.*

*City Prison 10 days*



POOR QUALITY  
ORIGINAL

0104

Police Court—7 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

William H. Hazen  
of No. 524 Third Avenue Street, aged 31 years,  
occupation Liquor dealer being duly sworn  
deposes and says, that on the 4 day of March 1898 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

One live dog of the value  
of fifty dollars (\$50.00)

the property of

deponent

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

James Ryan (now here)  
from the fact that deponent  
was in deponent's employ on  
said date, that he took said  
property away from deponent's  
premises at about 8<sup>30</sup> O'clock  
A.M. and failed to return again.

Deponent is informed by  
Jacob H. Eisenman of  
1400 East 15 Street that defendant  
sold to him said property for  
the sum of sixty cents.

Wherefore deponent prays  
that defendant be held to answer  
William H. Hazen

Sworn to before me, this  
6 day of March, 1898

John H. Kelly  
Police Justice.

POOR QUALITY  
ORIGINAL

0105

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 16 years, occupation Clk of No.

400 East 15

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Wm. H. Hagen

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

Sworn to before me, this

day of

5  
Mar 1886

Jacob S. Eisenman

Lo J. C. Beck  
Police Justice.

POOR QUALITY  
ORIGINAL

0106

Sec. 198-200.

H District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am guilty*

*James Ryan*  
*mark*

Taken before me this

day of

*March* 1893

*P. J. [Signature]*  
Police Justice.



0107

No. 1, b3

Residence

No. 2, by.

## Residence

No. 3, by.

Residence

**No. 4, by**

**Residence**

District

THE PEOPLE, &  
ON THE COMPLAINT OF

*M. A. H.*

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11

**Dated**

dated March 5 1890  
Orville  
Magistrate

James

Witnesses Debra M. Harlan

No. 1002 3d Street.

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

0. ....

300 to answer *W*

Street.  
Number.

COMMITTED

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Three 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 March 3 1888 Dr. J. C. McNeill Police Justice.

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

*Dated* \_\_\_\_\_ 188 \_\_\_\_\_ *Police Justice.*

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

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

POOR QUALITY  
ORIGINAL

0 108

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

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

*James Ryan*

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

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

The said

*James Ryan*

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

*one dog of the value of  
fifty dollars*

of the goods, chattels and personal property of one

*William H. Hazen*

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*

0109

**BOX:**

390

**FOLDER:**

3632

**DESCRIPTION:**

Ryan, John A.

**DATE:**

03/19/90



3632



0110

**BOX:**

390

**FOLDER:**

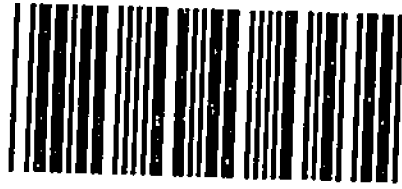
3632

**DESCRIPTION:**

Griesmann, Michael

**DATE:**

03/19/90



3632

POOR QUALITY  
ORIGINAL

0111

116 J.B.a

Counsel,  
Filed 19 March 1890  
Pleas, ~~James H. Smith~~

THE PEOPLE  
vs.  
John A. Ryan  
and  
Michael Garmon  
[Section 498, Penal code.]  
~~Guilty in the third degree.~~

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

John R. Fellows  
March 20/90 Foreman.  
Each Heard Guilty  
Both Ed. & J.

Witness:  
Merran D. Schuans  
Off Churchill

POOR QUALITY  
ORIGINAL

0112

Police Court— 2 District.

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

Hernando D. Suarez  
of No. 500 9th Avenue Street, aged 48 years,  
occupation Grocer being duly sworn

deposes and says, that the premises No 500 9th Avenue Street,  
in the City and County aforesaid, the said being a Grocery Store

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

were BURGLARIOUSLY <sup>attempted</sup> entered by means of forcibly Breaking  
a pane of glass in a door  
of the said store, by a stone wrapped  
in a handkerchief

on the 14th day of March 1890 in the night time, and the  
<sup>attempted to be</sup> following property feloniously taken, stolen, and carried away, viz:

A quantity of  
Groceries of the value of Fifty  
dollars

\$ 50.00  
100

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

John Regan and Michael Greenawald  
(both now in jail acting in concert)

for the reasons following, to wit: that deponent left the  
said premises <sup>locked</sup> at about the hour  
of 9 o'clock P.M. on said date and at  
about the hour of 12 M. he <sup>deponent</sup> was  
informed by Officer James Churchill of  
the 38th Precinct Police that the said  
premises had been broken into and  
deponent went to said premises  
and found that the glass in the



POOR QUALITY  
ORIGINAL

0113

door of the said store had been broken and deponent was further informed by said Officer Churchill that he heard the breaking of the said glass and found the said defendants in front of the said door and also a store wrapped in a handkerchief with which the said glass had been broken and deponent therefore accuses the said defendants with having with felonious intent attempted to take, steal and carry away the property of the defendant by entering the said building through the broken door and asks that they be dealt with as the law directs.

Sworn to before me this 15<sup>th</sup> day

of March 1890

*H. White*  
Police Justice.

*Herman Schmaars*

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

POOR QUALITY  
ORIGINAL

0114

Sec. 193-200.

2 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

John Ryan being duly examined before, the under-  
signed according to law, on the annexed charge; and being informed that it is h's 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's waiver cannot be used  
against h on the trial.

Question. What is your name?

Answer. John Ryan

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. 407 West 41 Street 3 months

Question. What is your business or profession?

Answer. Frame-gilder

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  
~~Not Guilty~~  
John A. Ryan

Taken before me this

day of

March

1894

Police Justice.

POOR QUALITY  
ORIGINAL

0115

Sec. 193-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Michael Griesman 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. Michael Griesman

Question. How old are you?

Answer. 16 Years

Question. Where were you born?

Answer. N. Y.

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

Answer. 334 West 57th Street 1 Year

Question. What is your business or profession?

Answer. Farmer

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

Michael Griesman

Taken before me this

day of

March

1888

Police Justice.



POOR QUALITY  
ORIGINAL

0116

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

Police Court... 2 District. 421

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Herman W. Munnick

John P. P. P.  
Michael Munnick

Offence Attempted  
Burglary

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

Magistrate

Chancellor

20 Precinct.

Witnesses James Churchill

No. 20 Precinct Police Street.

No. Street.

No. Street.

No. Street.

No. Street.

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

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

Dated March 15<sup>th</sup> 1890 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.

POOR QUALITY  
ORIGINAL

0117

Michael Gaisman  
Born May 1925  
Age 34  
Married Yes  
Occupation Yes  
Residence 334 W 3rd St  
Religion Jewish  
Political Party Both

POOR QUALITY  
ORIGINAL

0118

John A Ryan  
Born NY -  
Occup - no  
~~Married~~  
Single yes  
Residence 407 W 44th  
Parent Mother



POOR QUALITY  
ORIGINAL

0119

CITY AND COUNTY {  
OF NEW YORK, ss.

James Churchill  
aged 27 years, occupation Police Officer of No.  
20<sup>th</sup> Precinct Police Street, being duly sworn deposes and

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

Sworn to before me, this 15<sup>th</sup>  
day of March 1920

James Churchill

A. J. White

Police Justice.

POOR QUALITY  
ORIGINAL

0 120

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 A. Ryan and  
Michael Griesmann*

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

*John A. Ryan and Michael Griesmann*  
*of the crime of Attempting to Commit*  
of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

*John A. Ryan and Michael Griesmann, both*

late of the *Twentieth* Ward of the City of New York, in the County of  
New York, aforesaid, on the *fourteenth* day of *March* 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 *store* of one

*Herman N. Schnaars*  
*attempt to*

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

*Herman N. Schnaars*

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

*John R. Fellows,*  
*District Attorney.*

0121

**BOX:**

390

**FOLDER:**

3632

**DESCRIPTION:**

Ryan, Thomas

**DATE:**

03/07/90



3632



0 122

**BOX:**

390

**FOLDER:**

3632

**DESCRIPTION:**

Wall, John C.

**DATE:**

03/07/90



3632

POOR QUALITY  
ORIGINAL

0123

Witnesses;

Henry S. Russell

Counsel,

Filed

Pleads,

17 day of March 1890

THE PEOPLE

vs.

Thomas Ryan  
and  
John C. Wall

Grand Larceny's second degree.  
[Sections 528, 537, Penal Code].

JOHN R. FELLOWS,

District Attorney.

pp. 1-

nick 13  
died 22

A True Bill.

John Hamd Phoady

april 23 1890 Foreman.

Wm. J. Mutchers 19th

Spiced & Dispersed

April 18th 1890

POOR QUALITY  
ORIGINAL

0124

4-21/90

THE PEOPLE

COURT OF GENERAL SESSIONS, PART I.

vs.

Thomas Ryan  
and  
John C. Wall.

BEFORE JUDGE COWING.

Tuesday, April 22, 1890.

Indictment for grand larceny in the second degree.

Henry L. Russell sworn and examined by Mr.  
Maddonna.

Q. Now what is your name.

A. Henry L. Russell.

Q. What is your business.

A. Patrolman for the East River Electric Light Company.

Q. Were you employed by them on the 24th day of February  
last in this city.

A. Yes sir.

Q. What were your duties on that day.

A. On that day my duties were to find out, to see where our  
wire was going to that had been stolen for such a length  
of time, nobody could find out who was stealing it and  
they put me on to see who was taking it.

Q. You were patrolling their line.

A. Yes sir.

Q. Did you on the 24th of February, 1890, see these two  
defendants Ryan and Wall.

A. Yes sir.

Q. Where did you see them.

A. I followed them from 31st Street to 36th St. and 10th Ave.

Q. You describe to the jury in your own way just what you  
saw either or both of these men doing.



**POOR QUALITY  
ORIGINAL**

0125

A. Well, the East River Electric Light Company for a long time had been missing ---

Objected to.

Q. Describe to the Jury on this particular day on Tenth Ave. what you saw either of those men doing.

A. All right; when I was going over my route I seen ----

Q. What time of day was it.

A. It was about 10.25 in the morning, I seen that man there Ryan going up the pole and untying the tight wires and dropped them down, the two electric wires, both sides of them, dropped them down in the street; that man Wall, he calls his name, Enright is the proper name.

Q. Known as Wall here.

A. Known as Wall here, Enright is the proper name and the other man his proper name is Moran, Wall was directing these men.

By the Court. Q. What did you hear him say if you heard him say anything.

A. I did not stop near enough, thinking they might know me, I was afraid they would know me; there was two other men, they had a truck there, these two truckmen were rolling up the wire and when they got a certain distance Ryan cut it off a certain length and these men on the ground they rolled it up and threw it into the truck, Wall kept watching them and telling them how to do it, Ryan was up the pole not Wall, Wall was on the ground directing the operations, he was the foreman, he gave it in the Station House that he was the foreman.

Q. He said in the Station House that he was foreman.

**POOR QUALITY  
ORIGINAL**

0126

AL Yes sir. They kept right straight along, they only took the wire down that did not interfere a great deal with their work, they supposing ---

Objected to.

Witness continuing: Fifty feet of wire was so inconvenient that they could not get at it and they left it standing on the poles and went straight along and cut ahead.

Objected to.

Q. How much wire did they take down.

A. Twenty-four hundred feet about.

Q. They took it down and put it in this wagon.

A. Yes sir.

By Mr. Macdonna. Q. Now to whom did that wire belong that they took down.

A. The East River Electric Light Company.

Counsel: Objected to unless this is shown to be a corporation.

The Court: If they do not show that it is a regularly incorporated company your objection avails.

Mr. Macdonna: We will do that in proper order.

By the Court. Q. It belongs to the East River Electric Light Co.

A. Yes sir.

The Court: If they do not prove that is a corporation I will strike it out.

By Mr. Macdonna. Q. Now how long have you been employed in the electric light business.

A. Pretty near nine years.

Q. Are you familiar with the price and value of wire.

A. Well, fairly, yes sir.

Q. Can you tell what was the value of this twenty-four hundred feet of wire that you speak of.

**POOR QUALITY  
ORIGINAL**

0 127

A. It was worth two hundred and forty dollars , about ten cents a running foot.

By the court. Q. Worth about two hundred and forty dollars.

A. Yes sir.

By Mr. Macdonna. Q. Now how is that wire known commercially, what number is it in the first place.

A. Well, it is No. 2, I believe.

Q. What gauge.

A. No. 2 wire I believe they call it.

Q. Do you know what gauge.

A. It is their heaviest wire that they have got, either 2 or 4, I could not say which.

Q. No. 2 refers to the gauge, to the diameter of the wire.

A. Yes sir.

Q. And it is coated with asphaltum.

A. Yes sir, and cotton.

Q. Russell, when these men were brought to the Station House did you have any conversation with them.

A. No sir, not at all.

Q. Did you have any with them on the street when they were arrested by the officer.

A. No sir.

Q. None at all.

A. None at all.

Q. In the Police Court did you have any.

A. No, I have had no conversation with them at all.

Q. You have testified to all you know with reference to this particular transaction, have you.

A. Yes sir.



**POOR QUALITY  
ORIGINAL**

0128

Q. Who was with you at the time that you caused the arrest of these men.

A. There was nobody with me at the time I went to the Station House for a police an.

Q. Do you remember the officer's name who went with you.

A. Officer Keibrick.

Q. He is in court now, is he.

A. Yes sir.

Q. Did you hear the statements made by these men in the Police Court.

A. Yes sir, I heard what they stated there.

Q. You heard what they said in the station house, did you.

A. Yes sir.

Q. Did you hear Wall say anything concerning this charge.

A. Wall when he got to the Station House the Sergeant asked him what he was there for and he said in the station house that the officer brought him in; the Sergeant asked for what reason and then I spoke up and said ---

Objected to.

By the Court. Q. What did he say.

A. He said he was over these men; he spoke for these men, there were three men beside himself; he said that he was foreman over these men and he produced a badge and the Sergeant said, "we don't want to have anything to do with that badge"; I did not know at the time what that badge was, I found out since that it was a Mount Morris Electric Light badge, No. 7, and that the badge they were working on ----

By Mr. Macdonna. Q. The other men, what did they say.

A. The other men had nothing to say only the questions that are asked by the Sergeant in the Station House.

**POOR QUALITY  
ORIGINAL**

0129

Jacob J. Kiebrick sworn and examined.

By Mr. Macdonna. Q. Officer Kiebrick, you are attached to the 20th precinct of this city.

A. Yes sir.

Q. Did you arrest these defendants.

A. Yes sir.

Q. On the 24th of February upon the complaint of Russell.

A. Yes sir, the 24th of February.

Q. Where did you arrest them.

A. 36th Street and Tenth Avenue.

Q. In this city.

A. Yes sir.

Q. You brought them to the Station House.

A. I brought them to the Station House.

Q. Did you tell them what they were charged with.

A. Yes sir.

Q. Did Wall say anything.

A. When I arrested him yes, he told me that he had charge of the men.

By the Court. Q. Wall told you that he had charge of the men.

A. Yes sir.

By Mr. Macdonna. Q. And did Ryan say anything.

A. No sir, he did not say anything.

Q. Did you see any wire that they had been cutting down.

A. Yes sir, I seen it in the truck.

Q. How much was there of it, do you know.

A. There was several rolls of it, I don't know how many feet.

Q. That wire, what became of it, was it given to the Property Clerk .

**POOR QUALITY  
ORIGINAL**

0130

A. It was taken to the station house and the electric light company took charge of it.

Q. The electric light company now has charge of it.

A. Yes sir.

Q. Do you know how it was delivered from the Station House.

A. To the electric light company.

Q. That is a corporation, it has not any soul or any arms or legs.

A. I do not know who took charge of it.

Q. You do not know who represented that company and took it, do you.

A. No sir.

By Counsel. Q. Mr. Wall here didn't he state to you, Officer, what his duties were and ask you to come along, that he would point out the foreman.

A. No sir, he did not point out the foreman.

Mr. Macdonna: Now if your Honor please I would like to offer a certified copy of the articles of incorporation of the East River Electric Light Company attested by the County Clerk and filed in his office with his seal under the seal of the County Clerk.

The Court: Any objection?

Counsel: No, there is no objection, I admit all that is contained in it.

The Court: That is admitted in evidence. (It was marked Peoples' Exhibit I.)

Mr. Macdonna: I do not suppose it will be necessary to have us bring down this wire, twenty-four hundred feet of it, a whole truck load. It don't seem to me to be necessary unless there has been some contradiction, I believe the



**POOR QUALITY  
ORIGINAL**

0131

Court and Jury has inspected it, it has been down here four or five times.

The Court: I do not think it is necessary.

Mr. Macdonna: We rest.

The Case for the Defence.

Counsel: I ask your Honor to direct the Jury to find a verdict for the defendants on the ground there is no proof that the defendants were not employed by the electric light company to take down this wire.

The Court: There is not any evidence that they did not have a perfect right to take it down.

Mr. Macdonna: I think the objection is good; if your Honor will allow me I will remedy that. I can telephone for the General Manager of the company.

The Court: You can go ahead with your case. Your objection may be good later on. If it turns out that these people were in the employ of the Electric Light Company and had authority to take down the wire, they cannot be convicted.

Counsel: Here is a corporation whose territory is through the whole City and County of New York. Its employees as far as I can understand number thousands. Now it will be next to impossible to expect them to be in a position to show that the defendants here were not employed by this corporation.

The Court: They have got to do that and that can be done later on.

Counsel: I will waive the objection for the time being.

The Court: If these people were employed by this company to take down the wire they cannot be convicted.

**POOR QUALITY  
ORIGINAL**

0132

Counsel: I think under the circumstances I should hold to my declaration. There is a very important point in this case and I must confess my inexperience in the criminal branch of the law. The people should show clearly that these defendants were not employed by this company; it is the whole point in the case.

Mr. Macdonna: Probably I can prove that as to one of them now. I ask for a continuance of the case. A man has gone to telephone the superintendent of the Company.

Henry L. Russell recalled by Mr. Macdonna.

- Q. How long did you say you were connected with the East River Electric Light Company.
- A. Pretty near two years.
- Q. And are you familiar with the employees of the company.
- A. Yes sir, I am not acquainted with all their names.
- Q. You know them to see them.
- A. Yes sir.
- Q. Do you know whether Wall and Ryan were employed by the Company in March or February last.
- A. No sir, they were not.
- Q. They were not.                      A. No sir.

Cross Examined by Counsel.

- Q. How long have you known Mr. Wall.
- A. Mr. Wall, I never knew him.
- Q. How long have you known Mr. Ryan.
- A. I never knew him either.
- Q. You have been with this Company two years.
- A. Nearly two years, lacking a couple of months or so.

**POOR QUALITY  
ORIGINAL**

0 133

- Q. Can you give me the names of ten persons connected with that company in its employ.
- A. Yes sir, I think I could.
- Q. Give them.
- A. Leahy, Tomlinson, Henry.
- Q. What are you give me, their Christian names or their surnames.
- A. Their last names, their surnames. Dugan, Dugan again, Dalton, Fleming, Phillips.
- Q. In what capacity were those men employed.
- A. In different.
- Q. Give me an idea.
- A. Well, Leahy is superintendent.
- Q. Were any of those men line men.
- A. Not any of those men were linemen --- Dalton was the only lineman that I have mentioned.
- Q. How many linemen are in the employ of the East River Electric Light Company.
- A. Well, very few at the present time probably.
- Q. I did not ask you that question, how many were at this time.
- A. At that present time about eight or ten.
- Q. Linemen employed in the East River Light Company.
- A. Eight or ten.
- Q. Well now, give me the names of those eight or ten.
- A. I do not know as I could name them all but I know them by sight and can name a few of them.
- Q. You know them by sight.
- A. Yes sir.
- Q. Was there anyone in the employ of the company by the name of George Enright.



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ORIGINAL**

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A. No sir, not in our company.

Q. Doyou employ any of them/

A. No sir, I have no right to employ any men.

Q. Cpuld they have been employed without your knowing it.

A. No sir.

By a Juror. Q. What is your position in the company.

A. I am patrolman for the company, I go over their lines to look out for their property; my orders are to arrest any man who interferes with their property.

Q. You generally know the linemen by sight.

A. Yes sir, and as a general thing most of them by name but not all.

By Counsel. Q. Have you anything to do with engaging the linemen.

A. No sir.

Q. Could they have been in the employ of this company without your knowing it.

A. Hardly.

Q. I mean these defendants.

A. No sir, they could not, not those; you ask me if any of the linemen could be employed in the company without my knowing it, that is what you asked me.

Q. Could they.

A. It might be probable lately, not at the time that those men were arrested.

Q. Could I have been in the employ of that company without your knowing it.

A. As a lineman, no sir.

Q. Could I have been otherwise.

A. You might have been otherwise employed.

Q. Say as Deputy Superintendent.

**POOR QUALITY  
ORIGINAL**

0135

A. You might have been cashier there for all I know, I could not swear to that.

Q. You have some feeling in this matter.

A. No sir, I am only employed by this company, I might be employed by any other company.

Q. You have been in the employ of this company two years.

A. Yes sir.

Q. You have testified as an expert.

A. No sir.

Q. You have testified that you know the value of wire ---- look at these wires and tell me which is the Mount Morris and which is the East River. (Wire shown.)

Objected to on the ground that these are two dis-associated pieces of wire; we do not know where they came from. If the Counsel offers either of these wires to this witness to test the capacity of the witness as an expert to state what was the value of each of them there is no objection.

By Counsel. Q. You have been connected with this electric light company for how long.

A. Nearly two years.

Q. Now please state how far the wire of this company is run on Tenth Avenue beginning where and ending where on Tenth Avenue, of the East River Electric Light Company.

A. On this certain date?

By the Court. Q. Yes, on February 24.

A. On February 24 the wires ran from 51st to 39th Streets without interruption.

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

A. On the west side of the avenue.

**POOR QUALITY  
ORIGINAL**

0136

Q. Is there any wire on the east side.

A. No sir.

Q. Sure of that.

A. Unless it was a telegraph wire, no electric wire.

Q. Did you look to see.

A. On the east side of the avenue there was no electric light wire inside of those blocks I have mentioned.

Q. Did you look to see.

A. Yes sir, I looked to see; but as I have said before there was an electric light wire from 34th Street, as the District Attorney already said; from 31st to 34th Streets there were no wires but ours, but from 34th to 36th Sts. there was a Brush wire, that has already been stated.

By the Court. Q. The wire you saw taken down was between 31st and 34th Streets.

A. 31st and 36th Streets; between 34th and 36th Streets there is a Brush wire.

Q. Can you swear positively to this Jury that the wire which you saw taken down was the East River Electric wire.

A. Yes sir.

Q. You swear to that positively.

A. Yes sir.

By Counsel. Q. Would you know the wire if you saw it.

A. Yes sir -- that is not Trinidad wire.

By a Juror. Q. Don't they give you some idea of where the wire is that you have to look after, haven't you a diagram.

A. Yes sir, I know all their wires on the west side.

Q. You know where to go.

A. Yes sir, I have been patrolling two years pretty nearly now,



**POOR QUALITY  
ORIGINAL**

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I know all their wires on the west side.

y Counsel. Q. Look at those wires and tell me which is the East River Light wires and which the Mount Morris.

The Court: If he can tell I will let him tell by looking at those pieces.

Witness: Neither of those wires were the same as were taken down, neither of them are Trinidad wires, I am sure of that, neither of those are the same as those taken down; there is a truck load outside.

Q. Have you got a piece of the wire.

A. I can bring it in less than five minutes.

Q. Is there a Mr. Horahan in your employ.

A. Not in our employ, I believe there is in the Mount Morris company, not in our company.

Q. Do you know him.

A. I have seen him here in Court.

Q. How long have you known him.

A. I have seen him at his work while I have been patrolling up and down the avenue.

Q. How long is that.

A. I have seen him at his work while I have been patrolling up and down the avenue, it might be six months or so, three or four months, I could not say.

Q. But you are certain neither of these wires is the East River Light Company's wires.

A. Neither of those wires are the same wires that were taken down by those men on Tenth Avenue.

Q. Neither of these wires are the wires of the East River Electric Light Company.

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Objected to. Objection sustained.

- A. The wire that they took down is covered with asphalt and cotton.
- Q. These men, the two prisoners, were not in the employ on the 24th of the East River Electric Light Company.
- A. No sir.
- Q. And had no authority to take this wire down.
- A. No sir, none at all.
- Q. Have they ever been in the employ of this company.
- A. Never that I know of.
- Q. Could they have been as linemen in their employ and you not know it.
- A. I am sure that they could not.
- Q. They were not in their employ on the 24th of February.
- A. I am sure that they were not.
- Q. How do you know.
- A. Because I know.
- Q. Give us an idea how you know.
- A. Because I knew all the parties that used to go out over the lines and I knew that they were not employed to go near and touch any of the lines belonging to the Company.
- Q. From whom did you receive orders on that day, to patrol that avenue.
- A. I received orders from my superintendent.
- Q. What is his name.
- A. Both of them, Dexter and Leahy.
- Q. Are they here.
- A. I do not think either one of them are here.
- Q. Did either of those gentlemen tell you that neither of these defendants were in the employ of the company that day.

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ORIGINAL**

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- A. Neither; my orders were to arrest any man that touched their property.
- Q. That touched their property.
- A. Yes sir.
- Q. Do you know as matter of fact that either of those defendants were not in the employ of that company on that day.
- A. They were not, I am sure.
- Q. I want to know how you know it.
- A. Because if they were I would have known it.
- Q. Tell me how.
- A. Because I knew at the time they were not the men.
- Q. Is it a matter of conversation.
- A. No, I had no conversation at all; my orders were in the morning to go out and patrol the avenue.
- Q. I asked the witness to explain how he knew that these defendants were not in the employ of the East River Electric Light Company on the 24th of February of this year.
- A. There were only eight or ten employed at the time that were linemen in the company and I knew that those were not amongst the men that were employed in the company, I am not acquainted with all their names.
- Q. Give us the names of those that were.
- A. I told you I could not give all the names.
- Q. Could not these men have been in their employ and you not know it.
- A. No sir, I would know them by sight.

The Court: The witness as I understand says he was patrolman and was acquainted with all the men employed by the company and he knows that those two were not; I think that is enough at any rate to make a prima facie case.



**POOR QUALITY  
ORIGINAL**

0140

By Counsel. Q. You are satisfied beyond peradventure that these men were not in the employ of the company.

A. No sir, they were not.

The Court: That makes out a case so that you must go into your defence.

By Counsel. Q. What is the custom in regard to the employment of linemen, how are they employed.

A. By the day I suppose.

Q. And who employs them.

A. Mr. Leahy or Mr. Tomlinson, either one.

Q. Now is there any neighborhood and if there be will you please state where the linemen are usually selected from.

A. No sir, there is not.

Q. Is it not in Broadway and Dey Street.

A. No sir, no electric linemen is taken from Dey Street and Broadway.

Q. Have never been to your knowledge.

A. No sir.

Q. You are sure of that.

A. I am sure of that.

Q. Do you know whether or not men are selected from Broadway and Dey Street as linemen.

A. I never heard of any case.

Q. If it was so would you know it.

A. Yes sir, I would know it.

By Mr. Macdonna. Q. The Counsel has gone into your knowledge about hiring line men, when a lineman is hired is it customary to give him a numbered badge belonging to the company.

A. Well, not always.

**POOR QUALITY  
ORIGINAL**

0141

Q. Not always.

A. No sir, if they are going to be steady men, hired right steady they generally got a badge just the same as I have here.

Q. You have a badge on you.

A. Yes sir.

Q. Most of the linemen of the company have.

A. Most of the linemen, I do not know but all have now at the present time, steady men. Men hired only for one day ----

Q. You were not shown any badge belonging to the East River Company by those men that day.

A. No sir.

By Counsel. Q. Were they asked to show a badge.

A. I did not speak to them, I had nothing to say to them.

Q. Could not they have been in the employ of the company.

A. I did not speak to them, I had nothing to say to them, that was not my business.

Q. Could they have been in the employ of the company.

A. No sir, they could not without my knowledge.

Q. Not for one day.

A. Not for one day.

Q. Now what time did you start out in the morning.

A. About half past seven.

Q. What time did you start out as patrolman on that day.

A. About half past seven.

Q. What time in the day did your labors cease.

A. Well, along about six o'clock, if I wanted to knock off five o'clock that all depends upon myself.

Q. Where were you at nine o'clock.

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ORIGINAL**

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A. I might have been at 50th Street and Tenth Avenue or Ninth Avenue, wherever the lines were.

Q. Could any linemen have been engaged between the hours of seven and nine and you not know it.

A. No sir, not to be placed on Tenth Avenue.

Q. Could they have been engaged without your knowing it.

A. No sir..

The Court adjourned.

Wednesday, April 23, 1900.

Patrick H. Leahy sworn and examined.

By Mr. Macdonna Q. What is your business, Mr. Leahy.

A. Chief Engineer of the East River Electric Light Company and Superintendent of construction.

Q. As Superintendent of construction or engineer of that company do you employ the linemen, do you employ the mechanics and help for that company.

A. I hire all with the exception of the officers and the clerical work.

Q. Except the clerical force.

A. Yes sir.

Q. All the men who have to do with the physical management of that company you employ, do you.

A. I employ them. yes sir.

Q. Did you at any time during the month of February last have in your employ either of these defendants Wall or Ryan.

A. Not since we have been in business.

Q. You have been connected with that company have you, since it started business in New York.

A. Yes sir.



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Q. And your occupation has been the same all the time as relates to the employment of men.

A. Yes sir.

Q. Were those men at any time during the time you have been connected with that company employed by you.

A. No sir.

Q. Employed by the company.

A. No sir.

Counsel: I will admit that they were not in the employ of the company.

The Court: It is admitted now that the defendants were not in the employ of the East River Electric Light Company.

Mr. Macdonna: That is the Peoples' case.

The Case for the Defence.

Counsel opened the case for the defence.

John C. Wall sworn and examined, testified.

By Counsel. Q. That is the name you were arrested under, is it not.

A. Yes sir.

Q. What is your name.

A. John C. Enright.

Q. Where do you live.

A. No. 87 Varick Street.

Q. You are one of the defendants, are you not.

A. Yes sir.

Q. On the 24th day of February of this year you were arrested were you not.

A. Yes sir.

Q. Now give all the circumstances at length as to your employment up to the time that you were arrested.

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ORIGINAL**

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A. Well, the time I went to work at this business it dates back to 1874. I was first employed by the Atlantic & Pacific Telegraph Company, I worked in that employ for two years until 1876 or the Spring of 1877 when the telephone first started in New York; the salary then was sixty dollars a month. I went to work then for the Bell Telephone Company and worked for them about a year and went to Albany and Troy; I worked in their employ for two and a half years and came down to New York and went to work for the Stock Telephone Company and worked in their employ for two years and went away to Mexico with George L. Wiley as superintendent of construction, known as the Mexican Telephone Company, I worked there three years; they reduced our salary and I came back to New York again, that was in 1883 or 1884, I think I returned; I worked in New York for the Commercial Stock Quotation Company for about three months and while in their employ I had occasion to go up in the Mills Building and I got acquainted with Mr. Arnold, the Secretary of the Panama Railroad Company and he employed me as superintendent of the telegraph for the Panama Railroad Company; I went in their employ and went down to Aspinwall and worked there three years and a half; I returned to New York last July, the 2nd of July on the steamship Newport. About the 6th or 9th of July I went back to the Telephone Company and was employed as a telephone setter and inspector. I worked there until I think it was the 18th or 20 of October, I was taken sick, I had fever, I took the fever down there and I had chills and fever continually and I got pneumonia, I had to go to the

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hospital I remained there until the 7th of November, I came out on the 8th and I went to work for the Mount Morris Electric Light Company.

Q. In this city.

A. Yes sir. I worked in their employ until the 18th of January I think it was and we were laid off, several of us, on account of slack work. I was taken sick with pneumonia and then I was confined to the house two or three weeks.

Q. Come down to this 24th of February.

A. When I was able to go around I went to look for work, the work was very slack, I was promised a position in a company in Cedar Street by Frank Graham; I went down there this morning the 24th of February to the office, he was not in I came back to the Western Union Telegraph Company's office corner of Dey Street and Broadway and I met this man Ryan. While speaking there with him and some other telegraph men, this man came along, this Richard Stark that hired us. He asked Ryan if he was out of work, if he was looking for work, if he was employed; Ryan told him no, he was not working; he asked him if he wished to go to work for an object, it was a rushing job, that he had some wires to take down; he asked him what salary he would pay him and he told him two and half dollars; he told him he could not afford to work for that salary, so he said he would give him three dollars for his day's work and he consented; he asked him if he knew where he could get other telegraph men; he pointed me out, "there is a telegraph man, he has not got his tools with him"; he asked me if I wanted to go to work; I told him yes, if he would allow me time to go back and get tools. So he hired us, me and Ryan, he hired



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us there. We took a Ninth Avenue car and rode up to 31st Street and Ninth Avenue; we walked down to 39th St. and Tenth Avenue and he pointed out two wires that he wanted to take down; they were on the Western Union poles on a bracket, the two wires were cut off, one on each side of the pole; he pointed them out and said, "you want to start in and take them down to 37th Street." We walked up over the line, he says, "there is no use to start in until I get a truck;" we walked up with him to 49th Street and Tenth Avenue and on the way up he met three telegraph men corner of 42nd Street and Tenth Avenue; he got in conversation with them, we did not know who they were, they joined us in the middle of the block and walked up 49th St. There he hired these two truckmen; the men turned their truck around to go down Tenth Avenue; he said, "you had better go on the truck and take this badge with you."

By the Court. Q. Stark said that.

A. Yes sir. So he says, "they might ask you for a permit and if they do, tell them I have got it, that I am up at 42nd Street and Tenth Avenue, take the wires down to 37th St."

He did not go any further; he said, "if I am not there wait for me, I may be there before you get there." So we started in and took this wire down, Ryan cutting it down and I coiling it up and the other two men putting it on the truck, keeping people away from underneath it; they were very heavy wires, if they struck children they might be liable to hurt them. As we got up between 35th and 36 Streets I think it was, the officer came along and asked me if I had charge? I told him no sir. He asked, "have you got a permit?" I says, "no sir, I have got a badge here." He said, "let me see it." I brought out the badge

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ORIGINAL**

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and handed it to him and he showed it to the other man that was with him. He says, "that seems to be all right -- no, that is a badge belonging to the Mount Morris Electric Light Company and these are the East River Electric Light wires you are taking down, you had better come up to the House and see the sergeant." I went up to the Station House and these other men followed on along, Ryan and the two truckmen; we got up there and I told the Sergeant who employed me just the same as I am telling you; the man said he had a gang of workmen up at ~~47th~~ 42nd Street and Tenth Avenue. Well, he did not seem to listen to my story and he put me under arrest. He turned around and asked who these men were, he looked at Ryan and the two truckmen; they explained who they were and he put us all under arrest and locked us up; we were brought down to the Jefferson Market Police Station and on the examination the other two boys ---

Q. Who were they.

A. They were the two truckmen.

Q. What are their names, have you heard them.

A. Yes sir, Bartlett and Stall.

Q. Do you know Ryan here.

A. Yes sir.

Q. How long have you known him.

A. Well, the first time I got acquainted with him was after coming back from Aspinwall, that was last July.

Q. How long did you know Stark.

A. I never saw him, that was the first time I ever saw him, I never seen that man and never knew him before.

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Q. How did you learn his name.

A. He told us his name going up on the car.

Q. Is it not customary to employ men at the corner of Dey St. and Broadway.

A. Yes sir, where there is a telegraph company, they generally go there looking for men out of employment. I commenced to work at 31st Street and Tenth Avenue.

Q. Did you know the wires at this time you were cutting down.

A. No sir.

Q. You did not.

A. No sir.

Q. You heard the testimony of Mr. Russell.

A. Yes sir, I commenced to work at 31st Street and Tenth Ave.

Q. Where did you end.

A. I think it was between 35th and 36th Streets.

Q. Have you ever been arrested.

A. No sir, not in a criminal court, I have been arrested for---

Q. What have you been arrested for.

A. For <sup>w</sup>iring wires without a permit for a telegraph company.

Q. You have been in jail all this time; have you not.

A. Yes sir.

Counsel: I wish to offer that badge in evidence.

By the Court. Q. Where is this man Stark.

A. I do not know, he has not showed up since.

Cross Examined by MR. Macdonna.

Q. Now Mr. Wall, this wire that you commenced to take down corner of 31st Street and stopped taking down somewhere between 35th and 36th Streets to the best of your



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recollection, what was it.

A. Two dead wires.

Q. You are familiar with distances in the city, are you not.

A. Yes sir.

Q. What is the distance of a city block, how many feet.

A. I should judge about a hundred feet to a block.

Q. A hundred feet on an avenue block, it is a little more than twice that, and if you took down a wire or two wires from 31st to 36th Streets that would come pretty near to twenty-four hundred feet, would it not.

A. Yes sir, it would be about that if the blocks were two hundred feet long.

Q. Now you did not believe Wall, did you, when you took this employment of Stark, when he asked you to go up there, that there was any concealment necessary.

A. No sir.

Q. You believed it to be a perfectly legitimate and honest employment.

A. Yes sir.

Q. Such employment as would be liable to happen to any man in that business.

A. Yes sir.

Q. You went into it quite innocently.

A. Yes sir.

Q. You went willingly to the police station.

A. Yes sir, I told the facts as I am telling them here.

Q. Will you explain to the Jury if there was no concealment necessary why instead of giving your name Enright you gave your name as Wall.

A. Well, I have been arrested before, not in a case like this

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for swinging wire by orders of people that employed me, telegraph and telephone people but then we have been discharged in about half an hour, I never have given my right name then.

Q. That is the only reason that you give for giving a wrong name.

A. Yes sir.

Q. Will you tell us when you were arrested for swinging wire by orders of the people who employed you to put up the wire?

A. I cannot remember.

Q. Tell us about the time.

A. I think it was along in 1880.

Q. Are you certain it was in 1880 when you were arrested for putting up wires.

A. Yes sir.

Q. It was not for doing the same kind of business, taking them down.

A. No sir, it was for putting up a fixture in Pine Street without any permission.

Q. You were arrested on the complaint of your employers.

A. No sir, I was working for the Golden Stock Telephone Co. We were putting up a fixture without any permission, as I understood it, there was several of us arrested and we were discharged.

Q. Ten years ago.

A. Yes sir.

Q. You had in the meantime gone out of the business and gone to Mexico, and been down in Panama --- what was done with you, you were discharged, were you not.

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- A. Yes sir.
- Q. It was on account of that frightful crime that you did not give your name as Enright on this occasion, is that your reason.
- A. No sir, I did not think it was necessary to give my right name in a case like that in the Police Court. I was not ashamed at all of my name.
- Q. Why did not you give your right name then.
- A. I do not know, sir, I cannot give any reason no more than I thought it might get in the papers, that was all, it was not on my own account, it was on my people's.
- Q. You were not ashamed to give your name.
- A. No sir.
- Q. The only thing you can recollect as a reason for giving Wall instead of Enright in 1880 was that you were arrested in Pine Street.
- A. No sir, that is not the reason.
- Q. Where did you see Mr. Stark first on that day.
- A. Dey Street and Broadway in front of the Western Union Telegraph office.
- Q. There are two fronts on that building, one on Dey Street and one on Broadway.
- A. The Broadway entrance, I was standing there when he came along.
- Q. Did you know who he was.
- A. No sir.
- Q. He did not tell you who he was.
- A. Not until we got on the car.
- Q. Then he told you who he was.
- A. No sir.



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ORIGINAL**

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- A
- Q. Had you not known him before.
- A. No sir.
- Q. Have you ever seen him since.
- A. No sir.
- Q. Where were you going with that wire when you had taken it down.
- A. I do not know where he was going with it.
- Q. You got no instructions from him at all.
- A. No sir, nothing only to take it down and wait for him at 37th Street; he said not to go above 37th Street, he said "if you get there before I will be there before you finish up but do not take any more down above 37th Street."
- Q. Could you identify the wire that you took off, you are familiar with the different characters and qualities of wire, are you.
- A. Well no sir, not in electric wires I aint, I never done much work at it.
- Q. You know more about signal wires.
- A. Telephone and telegraphic wires.
- Q. One more question, your business has always been that of lineman, hasn't it.
- A. Yes sir.
- Q. Will you tell us why when you were asked in the Police Court what your business was, you said you were a telegraph operator, you recognized a distinction between a telegraph operator and a telegraph lineman, Ryan said he was a telegraph lineman and you said you were a telegraph operator, what was the reason of that.
- A. I am a telegraph operator, I can operate, I can do anything in the line of -----

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Q. That was not done with the intention of deceiving the Court

A. No sir.

Q. What was your name.

A. John J. Colbert.

Q. You used the two right names when you gave the name Wall, didn't you.

A. Yes sir.

Q. You are just as careful and apprehensive about the good name of your mother as you are of your father, aint you.

A. Yes sir.

Q. Will you tell us whether Wall is not your mother's name.

A. Yes, it is my mother's name.

Q. And yet you gave your mother's name in Court and not your father's name.

A. Yes.

Q. When you were arrested for the crime of stealing telegraph wires, is not that true.

A. I did not consider it any crime the time I gave my name.

Q. Why did not you give your own name, if you did not think it was a crime, that is not clear to the Jury.

Objected to.

By Counsel. Q. Did you know at the time that these wires were removed that the wires belonged to a person other than you were working for.

A. No sir, I did not.

Q. Then you had no intention whatever of stealing them.

A. No sir.

Q. Then you believed that Mr. Stark had authority at the time.

A. Yes sir, I did, I thought so.

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ORIGINAL**

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Counsel: I know the man intimately for ten years .

The Court: It don't look like a very serious case to me.

Mr. Macdonna: I am not going to do any more; I am not going to cross question this man and am not going to ~~sum~~ sum it up, I leave it entirely in the hands of your Honor and the Counsel on the other side.

The Court: I can get on to a case pretty quick, I think I can tell a thief when I see him, I may be mistaken sometimes, I am inclined to think if this witness tells the same story as the other, if the Jury should convict them it would be an injustice. It would be better for these men if they could get this man Stark who employed them. I think it a very violent presumption to say that every prisoner is a thief. The party on the stand says that he was down at Dey Street and Broadway and a man named Stark came along and employed himself and Ryan to go up and take down some telegraph wires, and he has given such an explanation that it impressed itself on my mind that there is a reasonable question whether it is not true in fact, I am inclined to believe his story. Well, if that is true, then there was an absence of intent; the taking down this wire and rolling it up and putting it on a wagon does not constitute larceny -- a man must have an intent to steal.

If he was laboring under a misapprehension as to his employment, if he supposed that Stark had a right to employ him according to his statement, are you going to say that is a lie? It don't strike me there is any foundation for your saying so except the fact that Stark is not here and has not been produced in Court. In all these criminal cases where a person can give a reasonable explanation of



**POOR QUALITY  
ORIGINAL**

0155

his conduct, I am inclined to think we do not make anything by punishing him as a criminal.

Counsel: If your Honor please, with reference to Mr. Stark the father of Mr. Enright has made as many as thirty unsuccessful efforts to locate him. Here is the father himself and he will make that statement to your Honor that he did everything to find him, to locate him but has been unsuccessful.

The Court: If there is such a person he was undoubtedly the thief wherever he is.

Counsel: As to Mr. Enright I know him intimately for ten years and I am willing to go on the stand and testify to that fact; I know his character for that period to be unimpeachable but as a member of the bar I am most unwilling to do it.

The Court: My own judgment about the case is that this person --- if this person was connected in the same transaction as Wall says he was I do not think the evidence would justify a conviction.

Thomas Ryan sworn and examined.

By the Court. Q. Have you ever been arrested for any crime.

A. No sir, never in my life.

Q. What is your business.

A. Telegraph lineman.

Q. How many years have you worked at it.

A. Between four and five years.

Q. For companies here in this city.

A. Yes sir, companies here in this city.

**POOR QUALITY  
ORIGINAL**

0 156

By Counsel. Q. What is your name.

A. My name is Thomas Moran.

Q. What is your business.

A. My business is telegraph lineman, climber.

Q. How long have you been in that business.

A. Between four and five years.

Q. I want you to state to the Jury all the circumstances attending your employment and arrest on the 24th day of February of this year, who employed you, where you were employed and where you and the other defendant worked that day.

A. On the 24th of February I started from the house and went down to the telephone office corner of Liberty and Greenwich Streets and asked the foreman there if he was putting on any extra man? He says, no; and from there I went to Day Street and Broadway and I met this man Wall; this man Stark came along and hired me, seeing I had my climbers with me; he asked me if I was not working, I told him no; he says, "do you want to go to work for a day?" I says, "yes, I do, I would like to make a day's work"; I says, "how much are you paying." He says, \$2.50. I says, "I would not work one day for \$2.50"; he says, "I will give you \$3.00, it wont be quite a day's work, I have got some dead wires on Tenth Avenue to take down, go up and take them down and I will get another man if I can." I pointed out Wall, he was standing on the corner, I called his attention to him.

Q. You pointed out this man Enright.

A. Yes sir.

**POOR QUALITY  
ORIGINAL**

0157

Q. You went uptown.

A. We went on the Ninth Avenue car and went to 31st Street and walked through to Tenth Avenue, and he showed us the two wires that was dead on the two brackets, one on each side of the pole, and he told us to take them down to 37th Street and Tenth Avenue and wait for him there. In the meantime he says, "we will have to get a truck"; we walked up over the line to Tenth Avenue and at 42nd Street we saw three men. Stark employed the three men, we walked up and he joined us in the middle of the block between 42nd and 43rd Streets, we walked up as far as 49th Street and he hired a truck and two men.

Q. Who did.

A. This man Stark.

Q. You and the other man did not hire them.

A. No sir, we did not. He told us to get in the wagon and go back to 31st Street and take the wire down. In the meantime he gave Mr. Wall a badge and told him if anybody should ask him for a permit that he had it and he would be working on the Avenue around 42nd Street.

Q. What kind of a looking man was this Stark.

A. This man Stark is a stout built man with a full beard.

Q. How old a man.

A. Well, a man about thirty-five or forty years old.

Q. Had you ever seen him before that day.

A. No sir, not as I know of.

Q. Would you know him again if you saw him.

A. I think I would, yes sir.

The Court: I think these men have given an explanation of their relation to this transaction in such a way that it would be



**POOR QUALITY  
ORIGINAL**

0-158

extremely dangerous to convict them. I do not see, in other words, how they are any different from the truckmen who were discharged.

Counsel: They were held on the wrong names given.

The Court: It is always better for persons to stick to their own names.

Counsel: I can satisfy your Honor on this point, I will show you that one of these men when arrested gave the name of Grover Cleveland.

The Court: Did they take him for Grover Cleveland?

Gentlemen: The crime of larceny, the gravamen of the charge, the principle element is the criminal intent. If these men were employed by a person who had no right to employ them, if they were acting in good faith and were not intending to steal this wire, they are not thieves.

Certainly it will teach them a lesson after this when employed to know that their employer has some right to engage them in the employment they undertake. I should judge from their description, I do not know the fact but it looks very much as if Stark was the thief and that in order to accomplish his ends I think he got innocent people connected with this transaction to take down the wires for him. At any rate he has skipped and cannot be found. The evidence here shows that he employed truckmen and the truckmen were taken down there and they were as much concerned in taking this wire as these men; I don't see any difference; the Magistrate discharged them and I do not know on what ground he held these two men. These two prisoners here have come forward and have given an explanation which on its face is not unreasonable. If their story

**POOR QUALITY  
ORIGINAL**

0 159

is true it entitles them to an acquittal. In order to convict them you would be obliged to find from the evidence that they are liars, both of them, without a particle of evidence impeaching their character except the fact that they did give a wrong name. One of them has been employed for years according to his statement, in a respectable occupation and never has been arrested before except on one occasion ten years ago when he was putting up wires on a house for a company and that is done frequently. Respectable corporations would send persons to put up wires and if you did not find one in your house you would be fortunate. I think I had about ten running across my house till I got them taken down. I think on the evidence they are entitled to an acquittal.

The Jury rendered a verdict of not guilty.

The Court: If you have spare time I would make it my business to catch this scoundrel, to find this fellow Stark.

Mr. Macdonna: This man <sup>is</sup> ~~has~~ not the character that the Counsel makes him out to be.

The Court: You have no right to make that statement, it is entirely improper; these men go out of the court-room exonerated. You have no right to attack them except as a private citizen might have.

Counsel: The statement is made concerning myself.

The Court: I don't want to hear anything more about the case.

POOR QUALITY  
ORIGINAL

0160

Testimony in the  
case of  
Thom. Ryan  
John C. Ryan  
March 1890



POOR QUALITY  
ORIGINAL

0 16 1

Police Court—

District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

Henry L. Russell  
of No. 439 West 28<sup>th</sup> Street, aged 35 years,  
occupation Patrolman for the E.R. Electric light company being duly sworn  
deposes and says, that on the 24 day of February 1898 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

A quantity of wire valued  
at fifty dollars \$50 00/100

the property of the East River electric light company  
and in deponents care and custody  
patrolman for said company

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 Thomas Ryan, John Wall

William Stull & George Barker  
(all now here) from the fact that while  
together and acting in concert with  
each other did feloniously take steal  
and carry away the said property from  
the poles along the Tenth Avenue

H. L. Russell

Sworn to before me, this 27 day of February 1898

Police Justice.

POOR QUALITY  
ORIGINAL

0162

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer. Thomas Ryan

Question. How old are you?

Answer. 28 Years

Question. Where were you born?

Answer. England

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

Answer. 13 Little 12 Street 3 weeks

Question. What is your business or profession?

Answer. Telegraph Lineman

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

Answer.

I am not guilty

Thomas Ryan

Taken before me this

24

day of

April

1890

Police Justice.

POOR QUALITY  
ORIGINAL

0 163

Sec. 198—200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *John C Wall*

Question. How old are you?

Answer. *30 Years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *78 Varick Street - 3 months*

Question. What is your business or profession?

Answer. *Telegraph Operator*

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

Answer.

*I am not guilty*

*John C Wall*

Taken before me this  
day of *April* 1904

Police Justice



POOR QUALITY  
ORIGINAL

0164

Sec. 198—200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William Stall* 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 *in*; that the statement is designed to  
enable h *in* if he see fit to answer the charge and explain the facts alleged against h *in*  
that he is at liberty to waive making a statement, and that h *is* waiver cannot be used  
against h *in* on the trial.

Question. What is your name?

Answer. *William Stall*

Question. How old are you?

Answer. *23 Years*

Question. Where were you born?

Answer. *New Jersey*

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

Answer. *523 West 50<sup>th</sup> St 3 years*

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.*

*William Stall*

Taken before me this

*27*

day of

*July*

*1894*

Police Justice.

POOR QUALITY  
ORIGINAL

0 165

Sec. 198—200.

2

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK }

*George Barker* 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 Barker*

Question. How old are you?

Answer.

*19 Years*

Question. Where were you born?

Answer.

*England*

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

Answer.

*505 West 49 St 18 months*

Question. What is your business or profession?

Answer.

*Truck 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*

*George Barker*

Taken before me this

*24*

day of

*Feb*

188*9*

Police Justice.

POOR QUALITY  
ORIGINAL

0166

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, vs.,  
ON THE COMPLAINT OF

Henry A. Russell  
439 West 28  
Thomas Ryan  
John C. Stace  
William Stace  
George Barker  
Offence Larceny  
felony

Dated Feb 24 1890

White  
Magistrate  
Heitrick  
Officer

20 Precinct

Witnesses: M. J. Horan  
James Henry Barker

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

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

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

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

No. 5, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 6, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 7, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

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

Defendants Thomas Ryan John C. Stace  
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 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 Feb 24 1890 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 William Stace  
George Barker guilty of the offence within mentioned. I order he to be discharged.

Dated February 28 1890 Police Justice.



POOR QUALITY  
ORIGINAL

0 167

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Thomas Ryan and  
John C. Wall*

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

*Thomas Ryan and John C. Wall*  
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed  
as follows:

The said

*Thomas Ryan and John C. Wall, both*

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

*a quantity of wire, a more particular  
description whereof is to the Grand  
Jury aforesaid unknown, of the  
value of fifty dollars*

of the goods, chattels and personal property of ~~one~~ a corporation called

*the East River Electric Light Company*

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.*

0168

**BOX:**

390

**FOLDER:**

3632

**DESCRIPTION:**

Ryan, Thomas

**DATE:**

03/19/90



3632

POOR QUALITY  
ORIGINAL

0169

Witnesses:

Frank Smith

Counsel,

Filed

Pleads

19th March 1890

THE PEOPLE

vs.

Thomas Ryan

Grand Larceny, *first Degree.*  
(From the Person.)  
[Sections 528, 580 — Penal Code].

JOHN R. FELLOWS,

*District Attorney.*

A True Bill

*John R. Fellows*  
*John R. Fellows*

off no date. Foreman.

*John R. Fellows*

*John R. Fellows*

Don't put this case on  
until officer is well  
enough to come to  
court - WMD

*John R. Fellows*

5.5.925



POOR QUALITY  
ORIGINAL

0170

Police Court— District. Affidavit—Larceny.

City and County } ss.:  
of New York,

of No. *House of Detention* Street, aged *22* years,  
occupation *Swindler* being duly sworn

deposes and says, that on the *11<sup>th</sup>* day of *March* 18*90* at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession

Person of deponent, in the *first* time, the following property, viz:

*One Plated Watch of the Value of  
Eighteen 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 *Thomas Ryan (now here)*

*from the fact that at or about the  
hour of 12. A.M. on said date deponent  
was in the Restaurant No. 17 Mulberry  
street when the said Ryan came  
up to deponent. Deponent saw  
Watch from the right hand of  
pocket of the pants worn then  
on deponent's person and saw  
out of said Restaurant with  
said property in his possession*

*His  
Thomas X Smith  
sworn*

Sworn before me, this *11* day  
of *March* 18*90*  
*Wm. J. McInerney*  
Police Justice.

POOR QUALITY  
ORIGINAL

0171

Sec. 198—200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Thomas Ryan* 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 *h* see fit to answer the charge and explain the facts alleged against *h*—  
that *h* 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. *Thomas Ryan*

Question. How old are you?

Answer. *27 Years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *317 East 35th St. N.Y.*

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*

*Wm Ryan*  
*Murder*

Taken before me this

day of *March* 1891

*H. J. Smith*

Police Justice.

POOR QUALITY  
ORIGINAL

0172

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

Police Court---

404  
District

THE PEOPLE, AC.,

ON THE COMPLAINT OF

*Thomas J. Ryan*

*Thomas J. Ryan*

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Officer

*Thomas J. Ryan*

Dated

*March 11 1890*

Residence

Magistrate

No. 3, by

Officer

Residence

Magistrate

No. 4, by

Officer

Residence

Magistrate

No. 5, by

Officer

Residence

Magistrate

No. 6, by

Officer

Residence

Magistrate

No. 7, by

Officer

Residence

Magistrate

No. 8, by

Officer

Residence

Magistrate

No. 9, by

Officer

Residence

Magistrate

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 *March 11 1890* *Wm. J. Ryan* 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.



0173

POLICE COURT, ..... DISTRICT.

The L. L. French Police Street, aged 23 years,  
 occupation Police officer being duly sworn deposes and says  
 that on the 11 day of March 1867  
 at the City of New York, in the County of New York he arrested

Thomas Ryan. charged with Larceny  
from the person. That, Francis Smith  
is a material witness against the  
said Ryan. and deponent. has  
cause to believe that the said  
Smith will not appear to testify  
against said Ryan. he having no  
permanent residence. Deponent therefore  
prays that the said Smith may be required  
to furnish surety to testify  
William Petermann

POOR QUALITY  
ORIGINAL

0174

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Thomas Ryan*

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

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

The said

*Thomas Ryan*

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

*one watch of the  
value of eighteen dollars*

of the goods, chattels and personal property of one *Frank Smith*  
on the person of the said *Frank Smith*  
then and there being found, from the person of the said *Frank Smith*  
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. Hollows,  
District Attorney*

0175

**BOX:**

390

**FOLDER:**

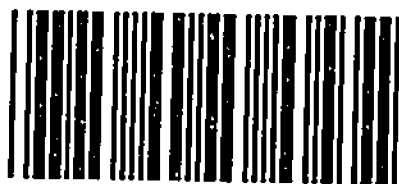
3632

**DESCRIPTION:**

Ryan, Thomas

**DATE:**

03/27/90



3632



POOR QUALITY  
ORIGINAL

0176

Witnesses:

*Patrick Murphy*

Counsel,

Filed

27

day of

*March* 1890

Pleads,

*Not guilty of the*

THE PEOPLE

vs.

*P*

*Thomas Ryan*

Grand Larceny *1st* Degree  
(From the Person.)  
[Sections 528, 580, 532 Penal Code].

*John R. Fellows*

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*John R. Fellows*

*Paul B. Felt* Foreman.

*James C. Felt* S.D.

*Charles F. Felt* S.D.

*S.P. 4*

POOR QUALITY  
ORIGINAL

0177

Police Court—4 District.

Affidavit—Larceny.

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

*Patrick Mooney*  
of No. *645-3-Avenue* Street, aged *24* years,  
occupation *Driver* being duly sworn

deposes and says, that on the *17* day of *March* 188*8* 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 :

*A silver watch of the value  
of Five (5) 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 *Thomas Ryan (now here)*

from the following facts to wit: that  
about the hour of 11.30 o'clock at night  
of the aforementioned date deponent  
was in Jones Words 68 and 69 Street  
and Avenue A, that deponent felt  
a tug at the vest pocket in which  
said property was, and immediately  
missed the same, and saw the  
said property in the hand and  
possession of said defendant  
deponent therefore charges defendant  
with having committed a Larceny  
and asks that he be dealt with as  
the law directs *Patrick J. Mooney*

Sworn before me, this

*19*

day

of *March*

188*8*

*William J. Mooney*  
Police Justice.

POOR QUALITY  
ORIGINAL

0178

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

4 District Police Court.

*Thomas Ryan* 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.

*Thomas Ryan*

Question. How old are you?

Answer.

*23 years*

Question. Where were you born?

Answer.

*Kingston, N. Y.*

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

Answer.

*Kingston N. Y.*

Question. What is your business or profession?

Answer.

*Boatman*

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

Answer.

*I am not guilty*

*his*  
*Thomas Ryan*  
*Pratt*

Taken before me this

day of

*March*

188

*John J. Pratt*  
Police Justice.



POOR QUALITY  
ORIGINAL

0179

BAILED.

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

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

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

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

Police Court

4  
1439

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Patrick Henry

4465<sup>th</sup> P<sup>3</sup> Ave  
Thomas Ryan

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Offence \_\_\_\_\_

Dated March 19 1890

Shed Magistrate

Campbell Officer

2<sup>nd</sup> Precinct

Witnesses Call off cire

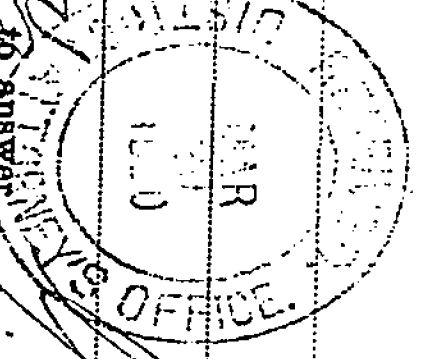
No. \_\_\_\_\_ Street \_\_\_\_\_

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

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

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

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



It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named 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 March 19 1890 John J. Bond Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0 180

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Thomas Ryan*

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

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

The said

*Thomas Ryan*

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

*one watch of the  
value of five dollars*

of the goods, chattels and personal property of one  
on the person of the said

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

**POOR QUALITY  
ORIGINAL**

0 18 1

SECOND COUNT—

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

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

The said

*Thomas Ryan*

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

*one watch of the value of  
five dollars*

of the goods, chattels and personal property of one

*Patrick Mooney*

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

*Patrick Mooney*

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

*Thomas Ryan*

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.*