

0767

**BOX:**

439

**FOLDER:**

4050

**DESCRIPTION:**

Young, Michael

**DATE:**

05/08/91



4050

0768

**BOX:**

439

**FOLDER:**

4050

**DESCRIPTION:**

Dias, James

**DATE:**

05/08/91



4050

0769

POOR QUALITY ORIGINAL

Upon examination of the testimony which can be produced by the people in support of this charge set forth in the within indictment, I find that the only witness who can give any testimony in the case is a lad Edward Kelly and that his testimony is not sufficient to support the charge. He says that he saw the defendants and ~~the~~ other boys in front of the stable door referred to in the complaint and heard a noise and afterwards he found that the lock was broken; but he can not say that the defendants had anything to do with the breaking. The place was not entered and no property was taken, and the complaint asks that the case be dismissed. Under these circumstances I think the case should be dismissed and I so recommend <sup>to the jury</sup> ~~to the court~~ in this case a verdict of acquittal be returned upon the indictment against him in the same manner as if he were within the jurisdiction which occurred on the 14th of May 1891.

John R. Phillips  
 District Attorney  
 May 14/91  
 I have read the above and recommend that the case be dismissed and a verdict of acquittal be returned on the 14th of May 1891.  
 M. S. Whidson  
 Foreman

Counsel,  
 Filed  
 Pleads,  
 1891

THE PEOPLE  
 vs.  
 Michael Young  
 and  
 James Dias  
 M.A.  
 DE LAUNCEY  
 JOHN R. PHILLIPS  
 District Attorney  
 May 14/91  
 Indictment dismissed  
 on motion of Dist Atty. See  
 recommendation within  
 A True Bill.  
 M. S. Whidson  
 Foreman

Burglary in the Third Degree.  
 Section 408, Penal Code.

Edward Kelly  
 Michael Kelly

1891

0770

POOR QUALITY ORIGINAL

Upon examination of the testimony which can be produced by the people in support of this charge set forth in the within indictment, I find that the only witness who can give any testimony in the case is a lad Edward Riley and that his testimony is not sufficient to support the charge. He says that he saw the defendants and other boys in front of the stable door referred to in the complaint and heard a noise and afterwards he found that the lock was broken; but he can not say that the defendants had anything to do with the breaking. The place was not entered and no property was taken, and the complaint asks that the case be dismissed. Under these circumstances I think the case should be dismissed and I so recommend. *W.H.C. to my honor in this case a child the door was broken before the case was set and a child named in the same case is set in the within case. I am a lawyer and dated May 14 1911*

Counsel,  
Filed  
Plends,  
1891

THE PEOPLE  
vs.  
Michael Young  
and  
James Dias  
Attorneys in the Third Degree,  
[Section 485, Penal Code]

DE LAUNCEY  
JOHN R. FELLOWS,  
District Attorney,  
Paris, N.Y. May 14 1911 -  
Indictment dismissed  
on motion of Dist Atty. by  
recommutation within  
A True Bill.

M. S. Bidmon  
Foreman.

Witnesses:  
Michael Reilly  
Edward Reilly

POOR QUALITY ORIGINAL

0771

Police Court 5 District.

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

of No. 417-E-115 Street, aged 53 years,  
occupation Mason being duly sworn

deposes and says, that the premises No. 418-E-112 Street, 12 Ward  
in the City and County aforesaid the said being a Frame Building

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

<sup>attempted to be</sup> were **BURGLARIOUSLY** entered by means of forcibly breaking the locks  
on the door

on the 22 day of April 1891 on the night time, and the  
following <sup>attempted to be</sup> property feloniously taken, stolen, and carried away, viz:

Two Horses Two Carriages  
Harness + Oats feed  
altogether valued at One thousand  
Dollars

the property of Deponent

<sup>attempted</sup> and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
**BURGLARY** was committed and the aforesaid property <sup>attempted to be</sup> taken, stolen and carried away by  
Michael Young (now here) and  
James Dias and an other person not yet arrested  
for the reasons following, to wit: on said date to said place  
was securely locked and fastened  
and the said property was in said place  
Deponent is informed by Edward Reilly  
that on said date he saw the Defendants  
Young and Dias and another person  
not yet arrested acting in concert with each other  
break the padlocks on the door of said place,  
Edward Reilly further says that the defendants

POOR QUALITY ORIGINAL

0772

saw him they walked away from  
said place, and he found the  
said padlocks broken

Michael Stealey

sworn to before me  
this 29<sup>th</sup> day of April 1891

Police Justice

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

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

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

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

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

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

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

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

THE PEOPLE, &c.,  
on the complaint of

vs.

Offence—BURGLARY.

1  
2  
3  
4

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

Magistrate.

Officer.

Clerk.

Witness,

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

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

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

§ \_\_\_\_\_ to answer General Sessions.

**POOR QUALITY ORIGINAL**

0773

CITY AND COUNTY } ss.  
OF NEW YORK, }

aged 13 years, occupation School of No. 417 - E - 115<sup>th</sup>

Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Michael Reilly and that the facts stated therein on information of deponent are true of deponents own knowledge.

Sworn to before me, this 29 day of April 1891

Edward Reilly

  
Police Justice.

**POOR QUALITY ORIGINAL**

0774

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Michael Young* 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. *Michael Young*

Question. How old are you?

Answer. *16 yrs*

Question. Where were you born?

Answer. *New York*

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

Answer. *405-E-106 St 2 months*

Question. What is your business or profession?

Answer. *none*

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

Answer. *I am not guilty*  
*Michael Young*

Taken before me this *29* day of *April* 188*9*  
Police Justice.

POOR QUALITY ORIGINAL

0775

Police Court... 5 District. 562

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Michael Reilly  
417 E 71st St  
Michael Young

Offence Attempted  
Burglary

Dated April 29 1891

Diener Magistrate,  
Rosa Precinct.

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

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



No. 500 to answer 4/1  
Street \_\_\_\_\_  
C. M. Barrett

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

Dated April 29 1891 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

0776

New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

Michael Young -

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. And from the fact that I have no familiar knowledge, that the above named defendant was the party who broke the Lock, and that my informant did not see the defendant break the Lock but merely came to that conclusion, when he saw said defendant leave the place, <sup>where</sup> ~~where~~ he afterwards found that the Lock had been broken, and I have no desire to prosecute a person who may be innocent of the charge.

Michael Kelly

Acknowledged before me

this 14<sup>th</sup> day of May 1891

Thos W. McGuire

Clerk of Deeds

POOR QUALITY  
ORIGINAL

0777

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Michael Young  
and James Dias

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

Michael Young and James Dias  
of the Crime of attempting to commit  
the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said Michael Young and James Dias, both

late of the Twelfth Ward of the City of New York, in the County of New York  
aforesaid, on the twenty-second day of April in the year of our Lord one  
thousand eight hundred and ninety-one, with force and arms, in the  
night - time of the same day, at the Ward, City and County aforesaid, the  
dwelling-house of one a certain building, to wit:

the stable of one Michael Reilly

attempt to  
there situate, 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 Michael Reilly  
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.

De Laucey Nicoll,  
District Attorney

0778

**BOX:**

439

**FOLDER:**

4050

**DESCRIPTION:**

Young, Thomas

**DATE:**

05/20/91



4050

POOR QUALITY ORIGINAL

0779

Counsel, *Loy F. Kelly* 1891  
Filed  
Pleads, *Spencer*

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

THE PEOPLE vs.

*Thomas Young*

DE LANCEY NICOLL  
~~JOHN R. BELLONIS~~

District Attorney.

A True Bill.

*W. S. Shidmore*

Foreman.

*Part II May 29/91  
Defendant discharged May 28/91  
by verbal recog. - G.S.D.*

Witness:

*Eugene Russell*  
*Off. Edward Wood*

*24 Prec 2*

*Off. Frank Hehn*

*24 Prec 2*

*Upon reading  
the indictment  
& affidavit of  
good character  
I am of opinion  
that the People  
cannot get a verdict  
of guilty - I wish that  
Prisoner be discharged  
on his own recognizance  
May 27/91  
G.S.D.*

POOR QUALITY  
ORIGINAL

0780

Francis L. Gilman, President  
Fred. G. Lee, Cashier

Wm. H. Johnson, Cashier

New York County National Bank

New York, May 29 1891

To whom it may concern:

This is to certify  
that I am familiar with the  
handwriting of Frank Tyson  
and have examined the letter  
attached hereto, and believe  
it to have been written by him

Yours etc  
Thos. G. Dale

Receiving Teller  
N.Y. C. N. B.

**POOR QUALITY  
ORIGINAL**

0781

CAR LOAD AND CARGOES ONLY.

TELEPHONE, 1077, 18TH ST.

OFFICE  
FRANK TRYON,  
WHOLESALE  
PINE AND HARDWOOD LUMBER,  
ALSO  
SASH, DOORS, BLINDS,  
MOULDINGS, ETC. \*

NO. 518 WEST FIFTEENTH STREET,  
BETWEEN 10TH & 11TH AVENUES.

New York, May 29 1891

Friend Thos

I was sorry to hear of your misfortune.  
I went to see the Judge this afternoon to certify  
to your good character but he was not at home.  
I have written him as I have to go to  
Lakewood N.Y. in the morning to re-arrange on an  
addition to the Hotel there and get a settlement of  
the old case. I expect to go from there to Philadelphia and  
will not probably return before Saturday.

If you get out of this difficulty you had  
better clear that outstanding business and come  
back here and take your old position again.  
I wish you it would lead you into bad company  
and now you see the result.

If necessary to see the Judge for you my only  
opportunity will be on Saturday night or Sunday as I  
expect to start out on Sunday night. I am  
Frank and send to my home if necessary.

Yours very truly  
Frank Tryon

**POOR QUALITY  
ORIGINAL**

0782

CAR LOAD AND CARGOES ONLY.

TELEPHONE, 1077, 18TH ST.

OFFICE  
FRANK TRYON,  
WHOLESALE  
PINE AND HARDWOOD LUMBER,  
ALSO  
SASH, DOORS, BLINDS,  
MOULDINGS, ETC.

NO. 518 WEST FIFTEENTH STREET,  
BETWEEN 10TH & 11TH AVENUES.

New York, May 27<sup>th</sup> 1891

Judge Fitzgerald  
New York City

Dear Sir-

On my return to the city this afternoon I was surprised to learn that Phil Young one of my former employees had got himself in trouble or was before you charged with some crime. He sent to offer a few days ago for a recommend which I had my clerk write suppressing it was to secure another position as I was assured by him the last time I saw him he was getting tired of bartending and wanted to get back into his old business again.

This man was with me for about four years and I never had reason to doubt his honesty or integrity in the slightest. I should not hesitate to recommend him to any position of trust.

I feel sure there is some mistake in this charge against him.

I would come before you and testify to his good character but I have an appointment to meet some parties at Lakewood, Minnesota and go from there to

**POOR QUALITY  
ORIGINAL**

0783

CAR LOAD AND CARGOES ONLY.

TELEPHONE, 1077, 18TH ST.

OFFICE  
FRANK TRYON,  
WHOLESALE  
PINE AND HARDWOOD LUMBER,  
Also  
SASH, DOORS, BLINDS,  
MOULDINGS, ETC.

NO. 518 WEST FIFTEENTH STREET,  
BETWEEN 10TH & 11TH AVENUES.

New York, ..... 189

Philadelphia and cannot return before Saturday  
I called at your residence this afternoon  
hoping to see you personally in regard to this young  
man. I left a card with the permit and as  
I was driving out met Mrs Fitzgerald to whom I  
explained my errand.

I trust the evidence against this young man  
is not so strong as to overcome his years  
of good and honest character. and that you  
will give him a chance. If he desires he can  
return to my employ.

Yours very truly  
Frank Tryon

POOR QUALITY  
ORIGINAL

0784

New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

Thomas Young

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

Deponent further says that he is not fully convinced that the defendant took said money from deponent that a number of persons were on the boat and that they crowded around deponent and thereafter said money was missing. Deponent further says that the money may have been taken by some other person than defendant and not feeling justified in fully charging the defendant with said larceny Deponent respectfully asks to be relieved from the charge and that the defendant be discharged.

Sworn to before me this } Eugene Russell  
26 of May 1891 }  
James W. Brink.

POOR QUALITY  
ORIGINAL

0785

{ The People  
asst  
Shos. Young }  
City and County of New York  
Frank Harrison being duly  
sworn deposes and says, that  
I have known the above named  
defendant for seven years, during  
part of said time - For four years  
he was in the employ of my  
brother in law, in Lumber's business  
as a salesman; that he has known  
him as an honest, industrious and  
sober man, and cheerfully recommends  
him, as such

Sworn to before me this  
27<sup>th</sup> day of May 1891, (Frank Harrison  
David Andersson  
Notary Public (100)  
N. Y. Co.

**POOR QUALITY  
ORIGINAL**

0786

*The People's*

*Appt*

*Tha. Young*



POOR QUALITY ORIGINAL

0787

Sec. 192.

First District Police Court:

and testify  
Undertaking to appear during the Examination

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Daniel O'Reilly a Police Justice of the City of New York, charging Thomas Young Defendant with the offence of Larceny from the person on a bill Complaint of Eugene Russell Complainant

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

We, Eugene Russell Complainant Defendant of No. 3 Carlisle

Street, by occupation a Tinsmith and Bernhard A Schmidt of No. 125 Washington

Street, by occupation a Liquor dealer Surety, hereby jointly and severally undertake that the above named Eugene Russell Complainant Defendant

shall personally appear before the said Justice at the at the Court of Annual Sessions and testify during the said examination, or that we will pay to the People of the State of New York the sum of one

Hundred Dollars.

Taken and acknowledged before me, this 17 Eugene Russell  
day of May 1891 Bernhard A Schmidt  
D. J. O'Reilly POLICE JUSTICE.

**POOR QUALITY ORIGINAL**

0788

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Do*  
day of *Jan*  
*1881*  
Justice

Sworn to before me, this

*Bernhard A. Schmidt*

the within named Bail and Surety being duly sworn, says, that *he* is a resident and *free* holder within the said County and State, and is worth *Two* Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all *his* debts and liabilities, and that his property consists of *stocks and fixtures of*

*five Dr 125 N. Washington St*  
and is of the value of *\$1200*  
over and above all *incum-*

*brance*

*Bernhard A. Schmidt*

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*and*  
Undertaking to appear

Taken the ..... day of ..... 18

Justice.

POOR QUALITY ORIGINAL

0789

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 1 DISTRICT.

Edward Wood

of No. 24th Precinct Street, aged \_\_\_\_\_ years, occupation Police Officer being duly sworn deposes and says, that on the 15th day of May 1889,

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

Thomas Young, charged with Larceny upon complaint of Eugene Russell. Deponent says that said Russell is a material witness for the people and deponent prays that said Russell be committed to the house of Detention.

Edward Wood

Sworn to before me, this 16th day of May 1889

Police Justice.

POOR QUALITY ORIGINAL

0790

Police Court

1 District.

Affidavit—Larceny.

City and County } ss:  
of New York, }

Eugene Russell

of No. 3 Carlisle Street, aged 26 years,  
occupation Jim Smith being duly sworn,  
deposes and says, that on the 15<sup>th</sup> day of May 1891 at the City of New York,  
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in  
the day time, the following property, viz:

Twenty dollars in good and  
lawful money of the United States

\$20<sup>00</sup>/<sub>100</sub>

the property of

deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and  
carried away by Thomas Jones (17121 1121) from the fact that deponent was on  
the Steamboat Middletown the defendant and some other persons unknown to deponent  
were congregated together playing some game with shills and a ball that they asked  
deponent to make a bet that deponent  
had said money in his hand when the  
defendant took hold of deponent and  
forcibly took said money from his  
hand. Wherefore deponent prays that the  
defendant be held to answer  
Eugene Russell

Sworn to before me, this

16<sup>th</sup> day

of May

1891

Police Justice

**POOR QUALITY ORIGINAL**

0791

Sec. 198-200

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Thomas Young*

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 Young*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *312 W 27 Street 3 months*

Question. What is your business or profession?

Answer. *Bar tender*

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

Answer. *I am not guilty  
Thos Young*

Taken before me this *16* day of *May* 186*9*  
*J. C. [Signature]*  
Police Justice.

**POOR QUALITY ORIGINAL**

0792

Compliment. Bookie

by Bernhard a  
behind of no

125 Washington St

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

District.

654

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James Young

Curran

Offence Curran from  
the person

Dated

May 16<sup>th</sup>

1891

McNeil

Magistrate.

24

Officer.

Witnesses

Frank Hahn

No.

24<sup>th</sup> Precinct

\$1500 paid for

May 17. 10 a m

Compliment committed to

the Attorney General's

default of the



\$1500 Cash

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 ~~Five~~ <sup>Twenty</sup> 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 May 1 1891 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**

0793

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 Young*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by

this indictment, accuse

*Thomas Young*

of the CRIME OF GRAND LARCENY IN THE SECOND DEGREE,

committed as follows:

The said

*Thomas Young*

late of the City of New York, in the County of New York aforesaid, on the 15<sup>th</sup> day of *May* in the year of our Lord one thousand eight hundred and *ninety-one*, at the City and County aforesaid, with force and arms, in the *day* time of the same day, divers promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of *Twenty*

*\$20.00* dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of *Twenty* dollars; divers United States Silver Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of *Twenty*

dollars; divers United States Gold Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of *Twenty*

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *Twenty dollars*

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

DE LANCEY NICOLL.  
~~JOHN R. FELLOWS~~, District Attorney.