

0753

**BOX:**

490

**FOLDER:**

4477

**DESCRIPTION:**

Ellison, Frank

**DATE:**

08/16/92



4477

0754

POOR QUALITY  
ORIGINAL

Witnesses

Wm. Anderson  
Geo. J. J. J.  
Geo. J. J. J.  
Geo. J. J. J.  
Geo. J. J. J.  
Geo. J. J. J.  
Geo. J. J. J.

Geo. J. J. J.

Geo. J. J. J.

Counsel

Filed

Pleas

THE PEOPLE

vs.

Frank Ellison

DE LANCEY NICOLL  
District Attorney

TRUE BILL

Wm. J. J. J.

Foreman

Wm. J. J. J.

Wm. J. J. J.

16 day of Aug 1892

Verdict in the Second Degree  
(Section 215, Penal Code)

Fol. 1

The Court of General Sessions  
City and County of New York.

-----X  
THE PEOPLE

vs.

FRANK ELLISON  
-----X

City and County of New York, ss.

2

Delos McCurdy, being duly sworn deposes and  
says: I am an attorney and counsellor at law of the  
Supreme Court. At the request of the defendant above  
named I represented him at the time of entering his  
plea of guilty therein, and receiving the sentence of  
the Court. The case was called for trial on September  
17th, 1892 before Recorder Smyth in the Court of General

3

Sessions. I then said on behalf of the defendant:  
"It has been stated that Mr. Slevin was assaulted because  
he insulted a lady who was with Mr. Ellison. I now  
wish to state that Mr. Slevin did not insult the lady,  
and that the assault was absolutely unprovoked and de-  
fendant desires to be allowed to plead guilty to as-  
sault in the third degree".

The learned Recorder thereupon stated as fol-  
lows: "It seems that on the street you assaulted this  
man in a most brutal manner, and it is stated by your  
counsel that the assault was utterly unprovoked. It is  
my duty to put a stop to ruffianism on the streets of  
this city."

0756

POOR QUALITY  
ORIGINAL

4

The statement of your counsel which has been concurred in by the complainant removes an element which if it had not been removed, would, perhaps have rendered it necessary for me to inflict upon you much more severe punishment than will now be necessary to serve the ends of justice. It is the sentence of

this Court that you pay a fine of \$250, *and stand committed until the fine is paid.*  
This was all that was said by the learned

Recorder in passing sentence.

Sworn to before me this

12th day of September, 1893.

: *Deborah W. Hardy*  
:  
:

*John J. Fenney*  
*Notary Public in and for the County of Washington D.C.*  
*Certified true to*

0757

POOR QUALITY ORIGINAL

43

The Court of General Sessions

The People

vs

Frank Ellison

REPORT

Officer of the Court

For the District Attorney

Dated 188

Assistant

778 13

0758

POOR QUALITY  
ORIGINAL

The Court of General  
Sessions

The People

vs

Frank Ellison

REPORT  
Affidavit of Frank Ellison

For the District Attorney.

Dated 188

Assistant

77813

0759

POOR QUALITY  
ORIGINAL

Sec. 192.

District Police Court.

Undertaking to Appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, }

An information having been laid before Thomas B. White a Police Justice of the City of New York, charging Frank Ellison Defendant with the offense of Robbery

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

WE, Frank Ellison Defendant of No. 324 Street, by occupation a Shoemaker and of No. 7 Street, by occupation a Cobbler Surety, hereby jointly and severally undertake that the above-named Frank Ellison Defendant shall personally appear before the said Justice, at the 7 District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of Five Hundred Dollars.

Taken and acknowledged before me this

day of

May 9  
1899  
H. J. White

Police Justice.

Frank Ellison  
John J. Finney

0760

POOR QUALITY  
ORIGINAL

City and County of New York, ss:

Sworn to before me this 2nd day of August 1881  
John J. Finney  
Police Justice.

the within-named Bail and Surety, being duly sworn, says, that he is a resident and holder within the said County, and State, and is worth Five 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 one house and lot at 410 35th Street worth \$5000  
free and clear John J. Finney

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Underlying to Appear during the Examination.

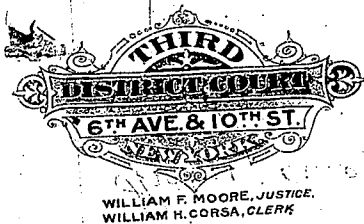
188

day of

Taken the

Justice.

0761

POOR QUALITY  
ORIGINAL

Justices Chambers

July 14<sup>th</sup> 1892

Hon. Delaney Nicoll

District Attorney

Dear Sir:

I appeared yesterday at Jefferson Market before Judge White, as attorney for the complainant Hugh Slavin who charged one Frank Ellison with an unprovoked assault, on the evening of July 7<sup>th</sup> about 10 o'clock P.M. on 30<sup>th</sup> Street near Madison Avenue being at the Madison Square Garden.

As a result of the assault Slavin's head was so cut that it had to be stitched, his arm and body bruised, and he seems to have had a very rough time of it. He asserts, as do all his witnesses, that the assault

0762

POOR QUALITY  
ORIGINAL

was utterly without any occasion or provocation, and I understand that the defendant is a noted bully who has frequently been arraigned in Police Courts, and who has been suspended from the Manhattan Club because of his propensity in this same direction. The defendant waived examination and gave bail to answer to the Grand Jury, and, as I am leaving town on my vacation, I desire to place with you the names of the witnesses who can be called to substantiate the complainant's side of the case, about which there seems to be, to me, absolutely no doubt. These gentlemen are all eye-witnesses and none of them are personal friends or acquaintances of the complainant.

0763

POOR QUALITY  
ORIGINALWILLIAM F. MOORE, JUSTICE.  
WILLIAM H. CORSA, CLERK.

Justices Chambers

2

189

Fred. W. Evers, No. 153 East 30<sup>th</sup> St.  
 (Hackman) Frank McCann, No. 333 " 43<sup>rd</sup> St.  
 Officer Repper 19<sup>th</sup> Precinct,  
 Owen McLoughlin No. 1101 Magnolia Avenue,  
 Elizabeth, New Jersey -

and the complainant, Hugh Slewin, who  
 resides at No. 213 Bleecker Street.

If you desire McLoughlin before  
 the Grand Jury, as he lives without the  
 state, if you give Mr. Slewin 24 hours  
 notice, he will arrange to have him  
 attend.

I thought it wise to submit the names  
 of these gentlemen to you as witnesses for the  
 People, either before the Grand Jury, or upon the trial of the action.

Very Truly Yours,

William F. Moore

0764

POOR QUALITY  
ORIGINAL

CHARLES W. BROOKE.

WILLIAM J. O'SULLIVAN.

CHARLES LEX BROOKE.

—o—o—LAW OFFICES—o—o—

People, etc.,  
vs  
BROOKE, O'SULLIVAN & BROOKE,  
No. 111 BROADWAY,

Frank Ellison.

New York, sept. 12th, 1893. 89

Hon. Frederick Smythe, Recorder,

Dear Sir:—

We are constrained to request that you will send the above case for trial before some other Justice of your Court, for the following reasons:

1st. The indictment charges the defendant with the felony of assault in the first degree, and further alleges that this is his second offense.

The first offense referred to in the indictment was an indictment against the defendant charging him with an assault in the second degree, upon one Slevin, which was disposed of in the month of September, 1892, before you, by a plea of guilty of assault in the third degree. Acceptance of which plea and the judgment rendered thereupon, we submit, was an adjudication of the offense charged and a prejudgment of material matter alleged against the defendant in the present pending indictment.

2nd. In passing sentence upon the defendant, under the former indictment, your Honor took occasion to characterize his act as a wanton and malicious one in substance in language as an act of ruffianism, and expressed your determination to punish such acts as you in substance adjudged him under his plea then and there guilty of.

3rd. In addition to such adjudication and characterization of

0765

POOR QUALITY  
ORIGINAL

CHARLES W. BROOKE.

WILLIAM J. O'SULLIVAN.

CHARLES LEX BROOKE.

-o-o-LAW OFFICES-o-o-

BROOKE, O'SULLIVAN & BROOKE,  
No. 111 BROADWAY,

New York,

189

the <sup>offence</sup> ~~defendant~~ you declared the defendant to be guilty of, you further warned him that if he ~~came~~ before you at any future time, charged with any offense, you would visit him with a severe penalty and "make an <sup>example</sup>" of him. While you certainly will acquit us of any desire or intention to reflect upon the fairness of your judgment and your judicial action, we are sure you will recognize the fact that all human judgment is susceptible to the effect of prejudice, and the experience of your past judicial action in the case of this particular defendant, as your memory must be refreshed by the circumstances and evidence ~~be~~ presented upon this trial could in the light of the views expressed by you upon the former occasion <sup>alluded</sup> ~~alluded~~ to but tend to incite that natural prejudice which without your intending it would inevitably in our judgment be inimical to the defendant.

Again disclaiming any other desire or intention, except that which is prompted by the discharge of our duty to secure for the defendant, in all events, a fair and impartial trial, we must for the reasons we have stated object respectfully, but earnestly, to this trial proceeding before your Honor.

Believing that in thus suggesting and ~~objecting~~ <sup>the</sup> objecting we are discharging in the better and higher sense ~~of~~ <sup>the</sup> duty which our respect and regard for you demands, and the duty we owe to our client, as officers of your Court, we are,

Very truly yours,

Brooke O'Sullivan Brooke

0766

POOR QUALITY  
ORIGINALVANDERPOEL CUMING & GOODWIN.  
COUNSELLORS AT LAW,  
NO. 2 WALL STREET,JAMES R. CUMING.  
ALMON GOODWIN.  
DELOS M. GURDY.  
HENRY THOMPSON.AUG. H. VANDERPOEL.  
JOHN YARD.  
RICHARD W. FREEDMAN.  
CHARLES V. YATES.

NEW YORK

July 9<sup>th</sup> 1892

To the Justice: The bearer of this Mr. J. J. Finney is our Cashier and a man of responsibility. We desire to have him accepted as bail for the appearance of Mr. Frank Ellison on Tuesday next in your Court to answer any charges which may be made against him.

We will vouch for the entire responsibility of Mr. Finney.

Very respectfully

Vanderpoel, Cuming &amp; Goodwin

0767

POOR QUALITY  
ORIGINAL

Police Court.

District.

CITY AND COUNTY  
OF NEW YORK, ss:

*mk*

of No. 213 Bleeker Street, aged 42 years,  
 occupation Legion-keeping being duly sworn, deposes and says, that  
 on the 7th day of July 1897 at the City of New York,  
 in the County of New York,

*he was* violently ASSAULTED and BEATEN by Frank Livingston

*nowhere* Went Struck deponent a violent  
blow on the forehead with a heavy walking  
can knocking deponent down cutting and  
wounding deponent and kicked deponent  
on the body

without any justification on the part of the said assailant.

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

Sworn to before me this

day of

189

*mk*  
Hugh Sleevin

Police Justice.

0768

POOR QUALITY  
ORIGINAL

(1885)

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*Frank Livingston* 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.

*Frank Livingston*

Question. How old are you?

Answer.

*40 years*

Question. Where were you born?

Answer.

*Philadelphia*

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

Answer.

*324 West 32 St New York*

Question. What is your business or profession?

Answer.

*Stock*

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

Answer.

*I am not guilty*  
*Frank Livingston*

Taken before me this

day of

Police Justice

0769

POOR QUALITY  
ORIGINAL

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court, 189

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John A. Decker  
213 10th St.  
New York

Frank Ellison  
113 10th St.  
New York

Offense, Assault

Dated

189

No. 1, by

Magistrate

No. 2, by

Magistrate

No. 3, by

Magistrate

No. 4, by

Magistrate

No. 5, by

Magistrate

No. 6, by

Magistrate

No. 7, by

Magistrate

No. 8, by

Magistrate

No. 9, by

Magistrate

No. 10, by

Magistrate

No. 11, by

Magistrate

No. 12, by

Magistrate

No. 13, by

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

Dated, July 13 189 A. J. White Police Justice.

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

Dated, July 13 189 A. J. White Police Justice.

There being no sufficient cause to believe the within named Defendant

guilty of the offense within mentioned, I order h to be discharged.

Dated, July 13 189 A. J. White Police Justice.

0770

POOR QUALITY  
ORIGINAL

490

Court of General Sessions of the Peace  
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against  
Frank Ellison

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

Frank Ellison

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

The said Frank Ellison,

late of the City and County of New York, on the seventh day of July, in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, in and upon one

Hugh Slewin,

in the peace of the said People then and there being, feloniously did wilfully and wrongfully did make an assault; and the said Frank Ellison,

with a certain walking-stick which he the said Frank Ellison

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

De Saucy Moore,  
District Attorney

0771

**BOX:**

490

**FOLDER:**

4477

**DESCRIPTION:**

Englert, Richard

**DATE:**

08/09/92



4477

0772

POOR QUALITY ORIGINAL

Witnesses:

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

Richard Englebert

*[Signature]*  
State

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Allen C. Capgar*

Foreman.

*August 17, 1893*

*Handwritten signature*

*Handwritten signature*

*Handwritten signature*

Grand Larceny, [Sections 528, 58, Penal Code] Degree.

*Handwritten X*

9<sup>th</sup> day of August 1893

0773

POOR QUALITY  
ORIGINAL

(1265)

Police Court—

3— District.

Affidavit—Larceny.

City and County }  
of New York, } ss.of No. 100 Ninth Avenue Street, aged 32 years,occupation Baker being duly sworn,deposes and says, that on the 23 day of July 1897 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:

Two watches, two watch chains a  
finger ring valued One hundred and  
twenty dollars and twenty dollars  
lawful money of the United States

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 Richard Englet (now here)

for the reasons that the defendant  
was an employer of deponent as  
a baker and in the morning of  
said day the defendant suddenly  
left without notice or apparent  
reason. Deponent upon missing the  
defendant investigated his property  
and found said property missing.  
Deponent is informed by Officer  
William J. Mooney that he arrested  
the defendant and that the defendant  
confessed to him that he stole  
said property. Charles Kreamer.

Sworn to before me, this  
of August 1897 day

Police Justice.

0774

POOR QUALITY ORIGINAL

Sec. 198-200.

CITY AND COUNTY OF NEW YORK } ss:

3  
District Police Court.

*Richard Engler* 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 sees 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.

*Richard Engler*

Question. How old are you?

Answer.

*18 years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*21 Bowery.*

Question. What is your business or profession?

Answer.

*Painter*

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  
Richard Engler*

Taken before me this  
day of *May* 189*7*

Police Justice

*[Signature]*

0775

POOR QUALITY  
ORIGINAL

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles Brown*  
*100 St*  
*100 St*

Offense, *Harboring Fugitive*

Dated

No.

Witness

No.

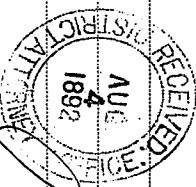
No.

No.

No.

No.

No.



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, *Aug 2* 189*2* *Police Justice.*

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

0776

POOR QUALITY  
ORIGINAL

528

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY  
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Richard Englert*THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *Richard Englert*of the CRIME OF GRAND LARCENY IN THE *second* DEGREE,  
committed as follows:

The said

*Richard Englert*late of the City of New York in the County of New York aforesaid, on the *23rd* day of  
*July* in the year of our Lord one thousand eight hundred and ninety-*two*  
at the City and County aforesaid, with force and arms, in the *night* time of said 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*dollars; divers other promissory notes for the payment of money, being then and there due and un-  
satisfied (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, two watches of the**value of thirty dollars each, two chains*  
*of the value of twenty dollars each*  
*and one finger ring of the value*  
*of twenty dollars*of the goods, chattels and personal property of one *Charles Kramer*  
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.

DE LANCEY NICOLL,

District Attorney.

0777

**BOX:**

490

**FOLDER:**

4477

**DESCRIPTION:**

Epstein, Louis

**DATE:**

08/05/92



4477

0778

POOR QUALITY  
ORIGINAL

Witnesses:

Counsel,

Filed

at

day of

1892

THE PEOPLE

vs.

Louis Epstein

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Allen D. Applegate

Foreman.

Sept 2 - Aug 14, 1892.

Tried and Acquitted

Grand Larceny, 5th  
Degree.  
[Sections 628, 680,  
Penal Code.]

from Oregon

0779

POOR QUALITY  
ORIGINAL

Police Court

District.

Affidavit—Larceny.

City and County  
of New York, ss:

*Mary Ruzzela*  
 of No. *197 Mulberry* Street, aged *24* years,  
 occupation *Housekeeper* being duly sworn,

deposes and says, that on the *30th* day of *July* 189*2* 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 *evening* time, the following property, viz:

*One Pocket book containing  
 Good and lawful money of  
 the United States consisting of  
 Bank notes and bills together of the  
 value of Fifty Dollars.*

the property of

*Deponent*

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-  
 ously taken, stolen and carried away by *James Epstein* (now

*here for the reason following to wit*  
*That about the hour of 9:30 o'clock P.M.*  
*on the night of the aforesaid day*  
*deponent was in Matt Street, and*  
*had said pocket book containing said*  
*money when said*  
*defendant came up to her and*  
*grabbed said pocket book containing*  
*said money but after said*  
*man away with the same and deponent*  
*pursued him and caused him to be*  
*arrested and charges him with the*  
*larceny of aforesaid*

*Mary Ruzzela*  
*trunk*

Sworn to before me, this

189*2*of *Police Justice*

0780

POOR QUALITY  
ORIGINAL

(1395)

Sec. 198-200.

1 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this *21st*  
day of *July* 189*2*

Police Justice.

*I am not guilty*  
*Louis* *his* *Epstein*  
*man*

**POOR QUALITY  
ORIGINAL**

1550 4 July 22 Ki-112  
 " 26, 1.1 hr  
 " 30 - 9.30 AM  
 " Aug 1 - 1.1 hr

[illegible]

Dated, July 21 1892 [Signature] Police Justice.

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

0782

POOR QUALITY  
ORIGINAL

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before

of the City of New York, charging

the offence of

a Police Justice

Defendant with

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

We, *Louis Epstein*

Defendant of No. *235*

*Brown*

Street; by occupation a

*Printer*

and *Abraham Levy*

of No. *54*

*Pike*

Street, by occupation a

*Real Estate*

Surety, hereby jointly and severally undertake

that the above named

*Louis Epstein*

Defendant

shall personally appear before the said Justice, at the *1* District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of *Five* Hundred Dollars.

Taken and acknowledged before me, this *21*

day of *July*

18*92*

*Louis his*

*Abraham M. Levy*

POLICE JUSTICE

0783

POOR QUALITY  
ORIGINAL

CITY AND COUNTY } ss.  
OF NEW YORK, }

day of *July*  
18*92*  
Sworn to before me, this *27*  
Police Justice

the within named Bail and Surety being duly sworn, says, that he is *free* resident and *ten* Hundred Dollars,  
holder within the said County and State, and is worth  
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,  
and that his property consists of *house and lot 119 Norfolk*

*shut with four thousand dollars*  
*over all encumbrances*  
*Abraham M. Levy*

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Undertaking to appear  
during the Examination.

vs.

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Taken the day of

Justice.

0784

POOR QUALITY  
ORIGINAL

528

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY  
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Louis Epstein*

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

indictment, accuse

*Louis Epstein*

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

The said

*Louis Epstein*

late of the City of New York in the County of New York aforesaid, on the *30th* day of *July* in the year of our Lord one thousand eight hundred and ninety--*two* at the City and County aforesaid, with force and arms, in the *night* time of said 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 *fifty*

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 *fifty*

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

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

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

*of fifty cents*

of the goods, chattels and personal property of one *Mary Ruzzella*, on the person of the said *Mary Ruzzella*, then and there being found, from the person of the said *Mary Ruzzella*, 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,

District Attorney.

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**BOX:**

490

**FOLDER:**

4477

**DESCRIPTION:**

Evans, George

**DATE:**

08/02/92



4477

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POOR QUALITY ORIGINAL

Witnesses:

Sub-official

Counsel,

Filed

Pleads,

THE PEOPLE

Grand Larceny,  
(From the Person),  
[Sections 528, 529,  
Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Allen C. Appard

Part 2 - August 14, 1892  
Foreman.  
trial and convicted

Elmer R. J.

Aug. 14/92

17

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POOR QUALITY ORIGINAL

#8  
No. 8  
27th July 1892

Counsel,  
Filed  
Pleas,  
27th July 1892

THE PEOPLE  
262420  
George Evans  
Grand Larceny  
(From the Person)  
[Sections 825, 826, 827, Penal Code.]

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

Allen C. Appard  
Sect 2 - August 11, 1892  
Foreman.  
Trial and convicted  
Clonin R.  
Aug. 17/92

Witnesses:

Sub-official

## COURT OF GENERAL SESSIONS. PART 2.

Before Hon. Rufus B. Cowing, Judge.

-----X  
The People :

-- vs. -- :

George Evans. :  
-----XIndictment filed August 2, 1892.  
Grand Larceny in the First  
Degree.*Convicted as charged in the  
Indictment. Sentenced to 10  
years and months imprisonment.**Tried, Aug. 10<sup>th</sup>, 1892.*

For the prosecution, Asst. Dist. Atty. G. S. Bedford

For the Defense, J. W. MacLaughlin.

TIMOTHY P. MACAULIFF, sworn for the People, testified:  
connected  
fied: I am a Police officer ~~xxxxxx~~ with the First Precinct  
Station House, Old Slip and South Street. I am a detective  
detailed in citizen's clothes at the Elevated Railroad at  
South Ferry. On the 4th. of July, I was at the foot of the  
stairs of the Elevated Railroad watching the crowds coming  
off the boats to see that they did not have their pockets  
picked. There was a woman who came from the Ferry and  
started up the Elevated stairs. I saw this prisoner  
standing around the ferry-house acting in a suspicious man-  
ner. He was walking in and out among the people with no  
special reason for doing so. I saw him go up to three or  
four people and attempt to put his hands in their pockets,  
but did not do it. I kept following him and at last I saw  
him follow <sup>the</sup> woman up the Elevated stairs and saw him insert  
his hand in the woman's pocket and take that pocket-book  
with six dollars and ~~xxxxxx~~ <sup>nineteen</sup> cents from her pocket. Then,  
I immediately placed him under arrest and the pocket-book

0789

**POOR QUALITY  
ORIGINAL**

2

was in his hands. It was immediately after I saw him steal the pocket-book that I placed him under arrest.

IN ANSWER TO COUNSEL FOR THE DEFENSE:

I have been a central office detective. The first thing I saw was this man acting suspiciously and feeling around their pockets. I knew that that was a crime and of course I am so instructed. There is no special reason why I did not arrest him when I saw him attempt to pick their pockets. He went again to the second person and then to a third person and I did not arrest him, and he tried it to a fourth and fifth person and I did not arrest him for that. I wanted to be sure what I was after. I found the pocket-book in his hand.

IN ANSWER TO THE FIRST JUROR:

I could not get the lady, she went up the stairs. I had to lose him or her, so I thought I would get him.

IN ANSWER TO COUNSEL FOR THE DEFENSE:

She was a little above on the stairs. I could not stop her, and I had to get her or him and I would rather get him. I did not go up the stairs to find her and make an effort to prove that this was her property.

IN ANSWER TO THE DISTRICT ATTORNEY:

The reason I did not arrest him when I saw him attempt to pick pockets was that I wanted a clear good case and that I wanted to be positive. I was not satisfied with the attempt.

GEORGE EVANS, prisoner, sworn in his own behalf, testified: I heard the testimony of the Police officer.

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POOR QUALITY  
ORIGINAL

3

The pocket-book belongs to me I did not steal it. I did not take it out of any ones pocket, and it was never out of my own pocket. I have had it a couple of months or more, I guess. I bought it from a street vendor at one time. I was at South Beach, Staten Island, that day, with my mother and sister and two other gentlemen, friends of mine. One was a Mr. Mallan. My mother's name is Mrs. Annie Evans. I have been locked up in the City prison since the 4th. of July. The reason these witnesses are not in Court to-days is this, they told me my mother had been to see me while I was in the prison and my case would not come up for sixty days, and they told my mother that, and I did not have time to notify my mother when they said I was going to be tried. I had this pocket-book in my pocket when the officer arrested me. I had taken the boat from Staten Island and got away from my mother and her folks and I was looking around for them when the officer arrested me. I have never been inside of a Court Room before in my life. The officer is wrong when he said that I had the money in my hands. It was in my pockets.

OFFICER MACAULIFF, re-called in rebuttal:

I did not take to pocket-book out of the boy's pocket.

PRISONER, re-called:

The officer took the pocket-book out of my pocket and he knows it himself. There he is standing and he knows that he lying. He took it out if my pocket, sir, and he knows he is lying.

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OFFICER MACAULIFF, re-called:

There were other parties there working the same racket, but I could not get hold of them.

PRISONER, re-called:

My employer has seen this pocket-book in my hand. P. J. Mallan, 17th. Street and Sixth Avenue, is my employer. He keeps a news-stand there. I have no witnesses here to-day, because I did not know that my case was coming on.

IN ANSWER TO THE DISTRICT ATTORNEY:

I remember on Monday when I was here Mr. Keller asked for two days' adjournment so as to have our witnesses, and he was coming to see me, but he has not done it. Mr. Keller was my Counsel. I did not pay him any money to defend me. I gave him an order for some money coming to me. It is not stolen money, I worked for that myself. The officer's statement that he saw me several times attempt to pick pockets is not true. The reason why I was round the Ferry-house was that I was waiting for my mother and sister and the others. I had lost them in the crowd and I stood within several feet of any crowd and watched for them, and I started to come home when I saw they did not come. I had not been in any crowd at all until the officer arrested me as I was coming home. I was going up the stair of the Elevated I do not know whether the officer perjures himself or not, but he knows in his heart that I did not take it, and he knows it. It is not so that he watched me put my hand in the woman's pocket as she went up stairs. I bought the pocket-book somewhere on Sixth Avenue, round two months

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ago, and paid twenty cents for it. It was new when I bought it. When the Police sergeant searched me and took the change out my other pocket and put it in the pocket-book, I had five dollars in bills in that pocket and one dollar and nineteen cents in that pocket. Five dollars in bills and a dollar and nineteen cents in silver. There is no reason why I did not have the money in my pocket-book. But that pocket-book was empty and when they searched me in the Police Station they put the money out of my pockets into the pocket-book. The pocket-book contained two compartments and it is a sort of yellowish, black -brownish. First it was yellow, you know what I mean by that. The inside was yellowish buck skin color. I can't tell you how many pennies there were-- five one dollar bills and nineteen cents in silver. No one made a complaint against me at the Station. There because I did not take the money. The sergeant ~~searched~~ searched me at the Police Station and the officer took the pocket-book out of my pocket and put the bills in it. Then the sergeant put his hand in this pocket and put the dollar and nineteen cents in the pocket-book.

OFFICER MACAULIFF, re-called by the Defense:

When I took the pocket-book from this boy \$6.19 was in the pocket-book and I did not take it from his pocket. The prisoner heard the money counted in the Station House. I counted it in his presence. When I took him to the Station House I laid the pocket-book on the sergeant's desk and the money was in it. When I arrested him he did not say he was waiting for his mother or sister or anybody else.

0793

**POOR QUALITY  
ORIGINAL**

6

PRISONER, re-called by the District Attoerney:

The reason why I did not tell him that I was waiting  
he would  
for somebody was because not let me open my mouth. He did  
not have his hand over my mouth but he pushed and pulled  
me along. I could not hollow to any one, I was too dumb-  
founded; and he was pushing and pulling me by the arm.  
I did not have the chance to call to any one.

JURY rendered VERDICT of "Guilty."

0794

POOR QUALITY  
ORIGINAL

Police Court / District.

Affidavit—Larceny.

City and County }  
of New York, ss:

of No. 1st Precinct Street, aged 26 years,  
occupation Policeman being duly sworn,

deposes and says, that on the 4 day of July 1892 at the City of  
New York, in the County of New York, was feloniously taken, stolen and carried away  
from the possession of ~~deponent~~ and from an unknown woman in the night time, the following property, viz:

One  
pocket book of the value of six dollars and nineteen cents good and  
lawful money of the United States

the property of An unknown woman

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 George Evans (now here)  
for the reason that on said date deponent saw the  
defendant insert his hand in the pocket of an  
unknown woman and take therefrom the aforesaid  
pocket book. Deponent followed the defendant and  
found the said property on his person.  
Deponent further avers that when defendant took said  
pocket book the unknown woman was on the stairs  
of the Elevated Rail Road at South Ferry.

Timothy P. McAuliffe

Sworn to before me this 4 day

of

1892

Police Justice

0795

POOR QUALITY  
ORIGINAL

(1895)

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK.

*George Evans* 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.

*George Evans*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*New York.*

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

Answer.

*262 West 25<sup>th</sup> Street. 5 days*

Question. What is your business or profession?

Answer.

*Messenger*

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

Answer.

*I am not guilty*

*George Evans*

Taken before me this

day of

1892

Police Justice.

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POOR QUALITY  
ORIGINAL

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court,

District,

THE PEOPLE, v.  
ON THE COMPLAINT OF

*Joseph McCaffie*

1 *George Brown*

Offense, *Larceny from the person*

Dated,

1892

No. 1, by

Magistrate,

No. 2, by

Officer,

No. 3, by

Precedent,

No. 4, by

Witnesses,

No. 1, by

Street,

No. 2, by

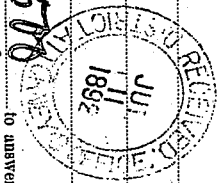
Street,

No. 3, by

Street,

No. 4, by

Street,



*h.d.*

*\$500 July 7-10-a.m.*

No. 1, by

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

Dated, *July 5* 1892 *Police Justice.*

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

Dated, 189 *Police Justice.*

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

Dated, 189 *Police Justice.*

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POOR QUALITY  
ORIGINAL

501

## Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*George Evans*

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

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

The said

*George Evans*late of the City of New York, in the County of New York aforesaid, on the *4<sup>th</sup>*  
day of *July*, in the year of our Lord one thousand eight hundred and  
ninety-*two*, in the *night*-time of the said day, at the City and County aforesaid,  
with force and arms,*the sum of six dollars and  
nineteen cents in money, lawful  
money of the United States  
of America, and of the value of  
six dollars and nineteen cents,  
and one pocketbook of the value  
of twenty-five cents*of the goods, chattels, and personal property of ~~one~~ *a certain woman whose*  
*name is to the Grand Jury aforesaid unknown*  
on the person of the said *woman*  
then and there being found, from the person of the said *woman*  
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  
District Attorney*