

0730

BOX:

409

FOLDER:

3788

DESCRIPTION:

Feeney, Frank

DATE:

09/03/90



3788

#18

Witnesses:
R. Cantonmasson
off for
Sept has remd
in action of 4/93
in D.P. for 171
two has since
been arrested
for an account
at May 702

Counsel, 3
Filed
Pleads,
day of Sept. 1890

THE PEOPLE
vs.
Frank Feeney
Entry in the fine degree,
[Section 496, 506, 528, 532 & 535]
JOHN R. FELLOWS,
District Attorney.

A TRUE BILL.

Mr. J. Rogers.
Sept. 4/90
Pleadal Duty Day
to 4/11/1900
H

0732

Police Court - District.

City and County of New York, ss.:

of No. 212 E. 12th St., aged 33 years,

being duly sworn

Street,

deposes and says, that the premises No 212 E. 12th St.,

in the City and County aforesaid, the said being a

house the premises being a

and which was occupied by deponent as a

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

Reuben, and his family

were BURGLARIOUSLY entered by means of forcibly

after the use of a window looking

into said premises and looking

the said window.

on the 21 day of August 1888 in the night

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

A quantity of clothing, some

clothes and a number of

while being about at

the address

the property of

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

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

persons (now here) and

acting in concert with

for the reasons following, to wit:

first, and fact that the

and having of a number of

and having of a number of

and having of a number of

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and having of a number of

and having of a number of

0733

burglariously, with four others
entered the said premises and
stolen said property.

Sworn to before me
this 23rd day of August 1890
D. J. [illegible] Scott & Co. and

John Patterson

Police Justice

Police Court ----- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Deere.

vs.

Burglary

Dated _____

88

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. _____ Street, _____

0734

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Frank Leary 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 Leary

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.

72 Prince St. 1 year.

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 guilty.
Frank Leary

Taken before me this

day of

September
189*4*

Police Justice.

0735

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 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 23 18.....John J. Patterson Police Justice.

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

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

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

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

0736

Police Court---

1304
District.

THE PEOPLE &c.,
ON THE COMPLAINT OF

Ref. Am. Tommasini
vs. Elizabeth &
Frank Perry

2
3
4

Am. Tommasini
OFFICE

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *Aug 23* 188*9*

Am. Tommasini Magistrate.

Sup. H. Hogan Officer.

10 Precinct.

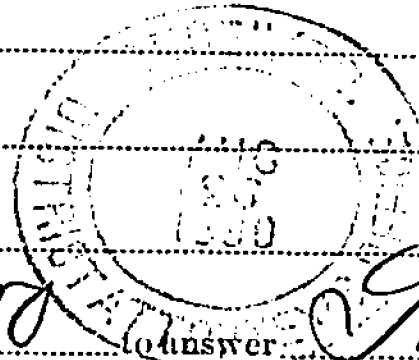
Witnesses

No. Street.

No. Street.

No. Street.

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



Am

0737

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Franka Seemey

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

Franka Seemey

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

The said *Franka Seemey*.

late of the *Southeast* Ward of the City of New York, in the County of New York
aforesaid, on the *twenty first* day of *August*, in the year
of our Lord one thousand eight hundred and *ninety*, with force and arms, about the
hour of *twelve* o'clock in the *night* time of the same day, at the Ward,
City and County aforesaid, the dwelling house of one *Raffaello Santomassino*,

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

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

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

the said Franka Seemey Seemey
then and there aided and assisted by a
confederate actually present, whose
name is to the Grand Jury unknown.

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

0738

SECOND COUNT—

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

Frank J. Seemey —

of the CRIME OF ~~ROB~~ LARCENY —

committed as follows:

The said *Frank J. Seemey*.

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 ~~night~~ time of the said day, with force and arms,

*four yards of satin of the value of
two dollars each yard, and twenty
sheets of printed music of the
value of ten cents each sheet,*

of the goods, chattels and personal property of one *Raffaello Santomassino*

in the dwelling house of the said *Raffaello Santomassino*. —

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.

0739

THIRD COUNT—

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

Frank Seemey

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

The said *Frank Seemey*

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, with force and arms,

*four yards of satin of the value of
two dollars each yard, and twenty
sheets of printed music of the
value of ten cents each sheet,*

of the goods, chattels and personal property of one *Raffaello Santomassino*

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

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

Frank Seemey

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.

0740

BOX:

409

FOLDER:

3788

DESCRIPTION:

Finan, Thomas

DATE:

09/02/90



3788

0741

BOX:

409

FOLDER:

3788

DESCRIPTION:

Jlacqua, Frank

DATE:

09/02/90



3788

Mother of Thomas says
he is under 16 years
of age - R.B.M.

Witnesses:

In my opinion the
evidence against No. 2
will not warrant
conviction. I therefore
recommend Macqua's
discharge upon his
own recognizance.

Oct 14/90

V. M. Davis
Asst.

#9 Abstracts

500

Counsel,
Filed day of 1890
Pleads, *Sept 31*

THE PEOPLE
vs.
Thomas Finnan
and
Frank Macqua

PETIT LARCENY
[Sections 528, 529, 530 Penal Code]

JOHN R. FELLOWS,

73 Oct 16, 1890 District Attorney.

No. 1 Pleads *FI*

Cath. Proteg.
Oct. 21, 1890 R.B.M.

A True Bill

Sub 1 self 25 above rejected
F. 3. Oct 12 1890
No. 2 on recom. Dist. Atty. Macqua
discharged in his own recognizance R.B.M.

Wm. S. Haynes

#1-17

0742

0743

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.

Police Court, 4 District.

Simon Ackerman
 of No. 305 East 24th Street, being duly sworn, deposes and
 says, that on the 22nd day of August 1890

at the City of New York, in the County of New York, was feloniously

taken, stolen and carried away from the possession of deponent in the day time the following property: Shoemakers' tools and a quantity of leather of the value of about Four dollars the property of deponent and that said property was stolen by Thomas Finan, for the reason that said Finan, was a frequent visitor in deponent's shop and deponent having missed said property and accused ^{of stealing them and} the said Finan who acknowledged and confessed that he Finan had stolen said property and further that he had sold said property to Frank Macqua (now here) who bought and received said stolen property, knowing the same to have been stolen and conceal and withholds the same. Deponent accompanied by an officer went to the shoemakers' shop carried on by said Macqua at 340 East 25th Street and there found the leather here shown in the said Macqua's possession which leather deponent identifies as his property and upon which he had performed labor. Said Finan further confesses that

0744

that he took said tools at different
 times and sold them to said Blacqua
 for ten cents apiece and said further
 was the last thing stolen. That said
 Blacqua urged and encouraged said
 Juan in committing said larcenies.
 Sworn to before me }
 the 23rd August, 1890 } Simon ^{his} Ackerman
 Charles W. Martin }
 Police Justice

Police Court, District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated.

189

Magistrate.

Officer.

Witness.

Disposition.

0745

Sec. 193-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Frank Macqua 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 Macqua*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *340 East 25 St. 2 months*

Question. What is your business or profession?

Answer. *Shoe maker*

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

Answer. *I am not guilty*

Frank X Macqua
mark

Taken before me this *23*

day of *August* 1890

Charles W. Hamilton Police Justice.

0746

Sec. 198-200.

X District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas Finnan 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 Finnan

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. 335 East 25th St.

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 guilty of stealing
said property

Thomas Finnan

Taken before me this

33

day of December 1890

Charles W. Hamilton Police Justice

0747

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 *Three* 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 *Aug 23* 18*90* *Charles Hamilton* Police Justice.

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

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

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

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

0748

Bail given
at 11:30. P.M.
J.H.

BAILED,

No. 1, by Francesco Viscardi
Residence 202 E. 33rd Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

If the Bail in this
case is given by
Mr. Gard personal
property will appear
the Court as is
nothing in the future
which means Bail &
the Court & Court property
to qualify as Bail. Ed

Police Court--- 4 1293 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Simon Ackerman
305 East 24th St
Thomas Finian
Frank Macqua

3. _____
4. _____

Dated Aug 23rd 1890
Tanitor Magistrate.

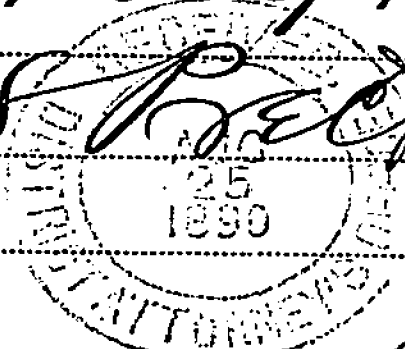
Wade Officer.
18 Precinct.

Witnesses Call the officer
No. Off. Wagner Street.

No. 18th St Street.

No. _____ Street.
\$ Boone to answer

no 2 Bailed



0749

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 Finan and
Frank Macqua*

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

Thomas Finan and Frank Macqua
of the CRIME OF PETIT LARCENY committed as follows:

The said

Thomas Finan and Frank Macqua, both

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

*divers tools, a more particular
description whereof is to the Grand
Jury aforesaid unknown, of the
value of two dollars, and a
quantity of leather, a more par-
ticular description whereof is to
the Grand Jury aforesaid unknown,
of the value of two dollars,*

of the goods, chattels and personal property of one

Simon Ackerman

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

0750

SECOND COUNT--

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

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

The said *Frank Macqua*

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,

divers tools, (a more particular description whereof is to the Grand Jury aforesaid unknown, of the value of two dollars, and a quantity of leather, a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of two dollars

of the goods, chattels and personal property of one

Simon Ackerman
by one *Thomas Finnan*, and
other

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

Simon Ackerman

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

Frank Macqua

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

JOHN R. FELLOWS,

District Attorney.

0751

BOX:

409

FOLDER:

3788

DESCRIPTION:

Flemming, Michael

DATE:

09/12/90



3788

0752

#115 Km

Witnesses:

George J. Dryer
A. Henry

ref- ch ray
had had
been previously
announced
under name of
Geo. J. Dryer
June 5-6/82

Counsel,
Filed day of Sept 1890
Plends, H. H. H. H.

THE PEOPLE

vs.

Michael Fleming

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

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Sept 25/90
J. H. H. H.
Foreman.
Specy convicted
54 W. C. P. 73
Oct 1/90

0753

30
50
20
1000
The Recorder's charge
given to him
H.A.

THE PEOPLE

COURT OF GENERAL SESSIONS, PART I.

vs.

MICHAEL FLEMING.

BEFORE RECORDER SMYTH.

Thursday, September 25, 1890.

Indictment for grand larceny in the second degree

Asst. Dist. Atty. Jerome for the People.

Mr. Kane counsel for the Defendant.

A Jury was empanelled and sworn.

GEORGE T. DREYER sworn and examined.

By Mr. Jerome:

- Q. What is your business? A. Woolens.
- Q. Now on the 4th of September of this year were you on a street car in this city? A. Yes sir, on a Canal St. car.
- Q. About what portion of the city was the car at the time of this occurrence? A. On Elm Street and Walker.
- Q. Tell the Jury what you saw and what you did? A. Yes sir; I got on the car at Bowery and Canal St.; the car was pretty much crowded; the car was behind time and I sat on the dashboard and next to me was a gentleman from the West on the rear platform. On the corner of Center St. I saw a man, this Defendant, and one or two others, I saw two or three in the party run after the car from Center to Elm; they got on there and they paid their fares. So these gentleman sitting next to me were sitting on the dashboard of the car. They had not gone but one block when I heard someone say, "I want to get off at Broadway."

Counsel: I object.

By the Court. Q. Go on? A. I looked sideways and I saw this Defendant hold up his arm, I saw his hand this way first (illustrating), and then I saw the watch come out and

pass it in his hand, the watch and chain.

By Mr. Jerome. Q. In this Defendant's hand? A. Yes sir, he had it in his right hand and passed it to his left and I grabbed him that way and said, "I saw that." "Saw what", he said. "You take the watch". He got off the car and I after him. He ran up against a case, I held him. He used bad language towards me.

Q. Tell us what he said? A. "You son of a bitch, what are you holding me for, I did not take any watch." Meanwhile I saw the conductor with the watch, I beckoned for the man who lost the watch, I says, "come along", I had hold of the fellow and he danced along and off went part of the coat, he tore my nails off; he said, "we are all human, don't kill me." He got away and he ran about two hundred feet, I ran after him again, I don't know whether I hit him, and he fell and in the act of getting up I grabbed him again. He called me some vile names. I said, "you wont go away from me; and he wanted to know what right I had to arrest him; "you are no officer". I said, "you have got to go with me." I walked down as far as Church St., they are very long blocks. He said, "I wont go any further with you." I said, "you will"; he commenced to dance around, he made the remark, "is there someone here to intercede for me?" And the first thing I knew truck drivers around there grabbed hold of me and took hold of him. He ran seventy-five feet, I got hold of him again, I took my left hand to have my right hand clear in case he hit me. I said, "if you don't go with me I will blow your brains out." He said "we are all human, I have got some money in my clothes, if

you come around the corner I will do the right thing with you." His vest was very much torn. I walked him down West Broadway and the truckmen were hooting me. I looked for a policeman until I met an officer at Franklin Street, he was off duty and he took him in the Station House.

Q. Did the man who owned the watch come along? A. No sir.

Q. You know who that man was? A. Yes sir, the same day I was speaking to a gentleman on the following Tuesday.

He said, "how are you getting along with that case?"

Q. The man turned up, did he? A. I hunted him up, yes.

By accident I ran across him through a friend, I found out where the man was.

Q. Did the car conductor bring the watch along? A. No sir, I saw the watch, it was a very handsome gold watch and chain.

Q. And that man to whom you gave it, what became of him?

A. So I went to his office, where he made his office, and I says to him, "how do you do?" Anyhow, he showed me the watch, it was a very handsome watch, he said he gave in the neighborhood of two hundred and fifty dollars for it and sixty dollars for the chain, he valued the watch very highly; he went to Terre Haute, Ind., his business called him away.

Q. What is his name? A. Hertz, he was before the Grand Jury otherwise he had to go away.

CROSS EXAMINED.

By Counsel: Q. How old are you? A. Thirty-three.

Q. What is your business? A. Woolens.

Q. How many persons have you had arrested on your complaints

in your lifetime.

The Court: I do not think that has anything to do with this.

By Counsel. Q. Previous to this occasion did you ever make complaints against any person charged with larceny, yes or no?

A. Well, no.

Q. Do you remember what you testified to in the Police Court?

A. I think I do.

Q. Now see if I correctly understand you, you stated after getting on this car and after the Defendant with some others reached the car and paid their fares, that you saw the Defendant place his hand in this man's pocket and abstract his watch? A. Yes sir.

Q. And hand it to somebody else and that immediately you grabbed him? A. He did not hand it to anybody else, he handed it from his right hand to his left.

Q. You are somewhat of an amateur detective, are you not?

Objected to. Objection sustained.

Q. Do you remember testifying in the Police Court that you were the complainant in a case against a boy charged with larceny that occurred at a fire?

Objected to as incompetent. Objection sustained.

Q. Did you not testify before the Magistrate in the Police Court that previous to this time you had been a complainant in a criminal case against another person?

A. No sir, I do not think I did.

Q. Will you swear you did not? A. I am swearing now.

Q. What time was it on this day you got on the car?

A. I guess about 1.30 or 1.45.

Q. Where were you going? A. I was going to business.

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Q. Where? A. Down White Street.

Q. How long have you been engaged in the woolen business?

A. A great many years, twenty odd years.

Q. Twenty odd years? A. Yes sir.

Q. Are you one of the firm yourself? A. No sir.

By the Court. Q. What firm? A. The Raritan Woolen Mills.

Q. Are you employed? A. I am a salesman.

Q. A salesman? A. Yes sir.

By Counsel. Q. Twenty years you say? A. Not in that concern but in the woolen business.

Q. Have you ever been convicted of any crime? A. I object to answering that question ---- no.

Q. Have you ever been convicted of any crime?

The Court: He has answered no.

By Counsel. Q. At the time when you reached this car on that day did you have a previous acquaintance with the person who owns the watch alleged to have been stolen? A. I never knew the man until the day I went to his office.

Q. You had had no previous acquaintance with him?

A. No sir, I did not know the man.

Q. You were sitting on the dash board? A. The dashboard.

Q. In the rear end of the car? A. Yes sir.

Q. Will you tell me where the person who owned the watch which is alleged to have been stolen in this case, was sitting?

A. He was sitting on my right hand side, right next to me.

Q. And his watch was in what pocket? A. In his left pocket.

Q. In his left pocket? A. Yes sir.

By the Court. Q. Of the vest? A. The vest, right in here.

0759

By Counsel. Q The left vest pocket?

A. Yes sir.

Q. The chain hanging from here?

A. Yes sir, a little round ring with a little fancy loop, he was sitting on my right I could see it.

Q. Will you tell me how he was dressed on that day?

A. He had a blue suit of clothes on, a cutaway coat.

Q. What position was his left? A. That I do not know.

Q. Was his left hand in this position? (Illustrating.)

A. That I do not know, the car was very much crowded, I did not look, I looked at the watch going out of the pocket, that was all.

Q. Do you remember in what position his hands were?

A. No sir.

Q. Were not his hands in that position. (Illustrating.)

A. I said that I do not know.

Q. How did you come to be so particular as to notice the abstraction of the watch? A. Well, something, foresight told me to look that way.

Q. Are you a mind reader? A. No, I can read a person occasionally.

Q. You pride yourself somewhat on your detective ability?

A. Objected to. Objection sustained.

Q. Something coming from an unknown source moved you to just look at that particular place where this man's watch was?

A. Yes sir; after I saw the man jump on the car I did not fancy him, I looked out for myself, looked around, which I think it is my duty to do.

Q. And how often have you done so before? A. I do it every time I get in a car, I do that always to protect anybody.

Q. When you jump on a street car as I understand it, you take particular attention to look out for the property of persons who are passengers, is that it? A. Not every one, no ---- I look around certainly.

Q. Will you tell me, Mr. Witness when those persons you say reached that car, got on that car and paid their fare, if there was any suspicious circumstances about them?

A. I did not like that man's looks when he jumped on the car.

Q. You think he is a thief if you do not like his looks?

A. Not always so.

Q. Can you tell me up to the time after he paid his fare, did he by any action create any suspicion in your mind or did he make any suspicious move that would enable you as an intelligent man to make out that he was a thief or intended to commit larceny? A. No, not a regular move he did not.

Q. When was it that you had that impression created in your mind? A. As soon as he jumped on the car.

WILLIAM PICKUP sworn and examined.

By Mr. Jerome:

Q. Mr. Pickup, what is your business? A. Railroad conductor.

Q. And were you conductor of this car upon which this Defendant was that night? A. Yes sir.

Q. That day? A. It was daytime.

Q. Will you tell us what occurred there, what you saw?

A. I do not know anything more about it than the man asked me to stop at Broadway.

Q. What man? A. This gentleman that lost his watch, I pulled the bell and stopped for him one side, I did not know which side he was going to stop off. I heard a man say, "I lost my watch"; I looked at the man and this gentleman that has just spoke, Mr. Dreyer, he grabbed this man (the Defendant) and says, "yes, I have got you, I saw you take it." He pulled him off the car and then another passenger alongside of me said, "here is the watch." I picked it up and I handed it to the man that said he lost it.

Q. A handsome gold watch? A. Yes sir, a beautiful watch.

Q. The man who lost it took it and went off? A. Yes sir. The street was blocked and I had to stop. Mr. Dreyer took the number of my car and said, "I have got your number." I did not think anything more of it being the man got his watch, I did not think that I would be called up. So I saw the man get away from Mr. Dreyer, the Defendant got away from him. I was going down through Walker Street, I could not help seeing it.

Q. Mr. Dreyer chased him and caught him again, didn't he?

A. Yes sir, I went on with my car and that was the last I saw of it.

CROSS EXAMINED.

By Counsel: Q. At the time when Dreyer got on the car do you remember where he got on? A. Yes sir, he got on at the Bowery.

Q. Where did he sit, on the rear platform? A. He sat the left hand side of me on the dash; this gentleman that lost his watch, I do not know his name, sat on the back of the

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dash next to him.

Q. Next to him? A. Yes sir.

Q. And where was the Defendant? A. They hailed me at Center Street, two of them.

Q. They boarded your car? A. Yes sir, I stopped for them and they boarded the car.

Q. When they got on the car where did the Defendant stand?

A. He stood to the left of me.

Q. To the left of you? A. That would be on the down town side.

Q. The last witness, he was on your left? A. Yes sir, he was on my left.

Q. The gentleman who claims to have lost the watch, where was he? A. He was behind me sitting on the back dash.

Q. Behind you? A. Yes sir.

By the Court. Q. You were standing up? A. Yes sir, certainly.

By Counsel. Q. The Defendant was on the other side of the last witness? A. Yes sir, he was standing in front of him on the car.

Q. Now how far was the Defendant away from the gentleman who claims to have lost his watch? A. The platform is not very wide, it is a narrow platform, I suppose about a foot and a half.

Q. A foot and a half? A. Yes sir.

Q. So that at the time when the Defendant reached that car on the day in question you were standing toward the door of the car? A. Yes sir..

Q. Mr. Dreyer was on your left? A. Yes sir.

Q. The Defendant at the bar was on his left, was he not?

A. On my left.

Q. On your left? A. Yes sir.

Q. How far away from Mr. Dreyer? A. Well, the car was crowded, you can judge.

Q. I mean on the back platform, how far was Mr. Dreyer, how far from Mr. Dreyer was the Defendant? A. About a foot and a half, the car is very small.

Q. From Mr. Dreyer? A. Certainly.

By the Court. Q. There were a number of people on the back?

A. Yes sir, we had a big crowd and a small car.

By Counsel. Q. Where was the person who claims to have lost his watch, behind you? A. He was seated on the dash behind me.

Q. How many persons got on the car with this man?

By the Court. Q. How many got on the car with the prisoner?

A. Another one beside himself.

By Counsel. Q. Another one beside himself? A. Yes sir.

Q. At the time he got on how many persons were on the rear platform, about? as near as you could judge, was it crowded? A. There was six on the platform.

Q. Was there any person other than the Defendant as near to the man who lost the watch as the Defendant was? A. That I could not say.

Q. Riding from Elm Street to Broadway is it not a fact that there were others of those six as near to the person who claims to have lost this watch as the Defendant?

A. No.

Q. They were not? A. NO.

Q. You paid particular attention? A. No, I did not pay no attention, I never pay no attention to what I have on the car, I was attending to my business.

Q. You could not state that? A. No sir, I could not.

CHRISTOPHER FARRELL sworn and examined.

By Mr. Jerome. Q. You are an officer of the municipal police of this city, Farrell? A. Yes sir.

Q. Did you arrest the defendant at the bar on the 4th of September of this year? A. Yes sir.

Q. Whereabouts did you arrest him? A. Corner of Franklin Street and West Broadway.

Q. Mr. Dryer came along and turned him over to you?

A. Yes sir.

Q. What did he say? A. He said that he had stolen or attempted to steal a man's watch.

Q. What did the Defendant say? A. He did not say anything, he just walked along with me to the Station House.

Q. Did you say anything? A. No, he made no resistance when I took hold of him.

Q. A complaint was made at the Station House of receiving this watch? A. Yes sir.

Q. What did he say? A. He said he did not take the watch.

Q. Then you took him to the Police Court the next day and he was held on this charge? A. Yes sir.

Q. Did you have any conversation at any time with him about anything? A. No, I asked him but he did not give me any information, he kept quiet.

CROSS EXAMINED.

By Counsel. Q. Do you remember being at the Police Court when the examination was held in this case? A. Yes sir.

Q. You remember hearing the testimony of Mr. Dryer, the only complaining witness in this case? A. Yes sir.

Q. Do you remember him stating that previous to this time he had a person arrested for larceny?

Objected to. Objection sustained. Exception.

Q. Do you remember Mr. Dryer testifying on the 5th day of September in the Tombs Police Court when this examination was held? A. Yes sir.

Q. You were present? A. Yes sir.

Q. At the time he was giving his testimony to the Police Magistrate how far were you from him? A. I was right alongside of him about a foot.

Q. Did you hear all the testimony in that case? A. I heard it all, yes sir.

Q. Almost all the testimony that Mr. Dryer gave in that case?

A. All the statement that he made to the Judge.

Q. Do you remember him testifying on that occasion to having been a complainant in any other criminal case other than the one now on trial?

Objected to as immaterial. Objection sustained.

Exception.

Mr. Jerome: The People rest.

The Case for the Defence.

Counsel: I ask your Honor now to instruct the Jury to acquit in this case on the ground that there has not been sufficient evidence adduced on the part of the prosecution to make out a case.

The Court: Motion denied.

Counsel: Note an exception.

Counsel opened the case for the Defendant.

MICHAEL FLEMING sworn and examined.

By Counsel: Q. Fleming, what is your business? A. Tinsmith.

Q. You are a tinsmith? A. Yes sir.

Q. Do you remember the day when you were arrested? A. Yes sir.

Q. Do you remember being on a Canal Street car? A. Yes sir.

Q. Do you remember seeing Mr. Dryer? A. I remember him, not until he grabbed me and pulled me off the car.

Q. You saw the conductor? A. Yes sir.

Q. Did you ever see the person from whose person it is claimed this watch was taken? A. Never seen him in my life, I never saw him yet.

Q. Tell us what occurred on the platform of that car from the time you got on until you were arrested? A. When I got on the car I got on the car alone, I paid my fare as soon as the conductor came from the inside of the car to collect it. I gave him my fare; there was somebody else got on the same side, I do not know whether it was Dryer or who it was; after I paid my fare I stepped one side to let them get in, I was told to go inside; a man was going out and a lady sat in his place and I moved back to the platform of the car. When the car got to Elm Street or in Walker Street I believe, it was blocked, and a man stepped one side and he said, "let me get off", and he got off, the man got off and Mr. Dryer afterwards pulled me off the car and in doing so he tore all my vest and coat and knocked me down on the street.

Q. Now at any time during that time did you have in your possession any gold watch? A. No sir.

Q. Did you take that watch from the possession of that man?

A. No sir, I did not.

Q. Now you have been unfortunate before this time, haven't you? A. Yes sir.

Q. You have been in State Prison? A. Yes sir, I have.

Q. You were arrested charged with larceny once before, were you not? A. Yes sir.

Q. Did you plead guilty to that? A. Yes sir, I pleaded guilty to it.

Q. You pleaded guilty you say? A. Yes sir.

Q. You were sent to State Prison for two years, weren't you?

A. Yes sir.

Q. And you did your time there and came home? A. Yes sir, I did.

Q. When was that? A. In 1882.

Q. Since that time you have not been arrested charged with any offence, have you? A. No sir, I have not.

Q. You have worked for various persons in New York here?

A. Yes sir.

CROSS EXAMINED.

By Mr. Jerome. Q. What was the name you were convicted under?

A. John T. Sullivan.

Q. And for larceny? A. Yes sir, petty larceny I believe.

By the Court. Q. How could it be petty larceny? A. Attempt at larceny from the person.

By Mr. Jerome. Q. When was that, what year was it? A. January, 1882, I believe.

Q. Now what other time were you convicted beside that one?

A. Not for larceny at all.

Q. But what was your conviction for? A. Assault.

Q. And when did you assault? A. I cannot remember now.

Q. Now you know Inspector Fyres, don't you?

Objected to. Objection overruled. Exception.

A. No sir.

Q. John T. Sullivan was your name at that time? A. Yes sir.

Q. Do you happen to know Johnny Dodd?

Objected to.

A. No sir, I do not.

Q. You do not know Johnny Dodd? A. No sir.

Q. How long did you get for the assault? A. I got sent to the City Prison.

Q. How long? A. Twenty-five days.

Q. What else were you convicted of beside that? A. I was not convicted of anything.

Q. You never have been in any prison besides Sing Sing?

A. No sir.

Q. Sure? A. No, I have never been in any prison, I have been in the Tombs.

Q. What have you been in the Tombs for on another occasion?

A. For suspicion of larceny.

Q. Of a watch? A. Yes sir --- no, not of a watch.

Q. Of what --- were you discharged there? A. Yes sir.

Q. How many times have you been up for watches? A. Once or twice beside that.

Q. So you have been up for watches three times altogether, have you? A. No sir, I have not, once I have been arrested on suspicion the same as a thousand other people in New York have been arrested twice or three times every week.

- Q. And were you arrested alone? A. Yes sir.
- Q. Isn't your true name John T. Sullivan? A. No sir.
- Q. Were not you arrested on the 22nd of January, 1883, with one Frank Shortell? A. No sir.
- Q. You do not know Shortell? A. No sir.
- Q. Never have seen him? A. No sir.
- Q. Now who was with you this night when you got on that car?
- A. Nobody at all.
- Q. Sure? A. Yes sir, I am positive.
- Q. The conductor says you got on with another man?
- A. I may have got on with another man but I did not know the man, I did not get on with another man, I am positive of that..
- Q. Do you know Benton Bucklee? A. No sir.
- Q. Now where were you standing when this man Dryer grabbed hold of you? A. I was standing in the doorway, about half way in and half way out.
- Q. Of the car? A. Yes sir.
- Q. And he was behind you? A. I do not remember where he was.
- Q. Did he grab you from the front or behind? A. I was riding backwards and he was riding facing the car, I was facing out of the car and he was facing in; he reached over and grabbed me and pulled me off the car; the car was at a stand still on the corner of Broadway.
- Q. He pulled you out of the doorway? A. Yes sir, off on to the street.
- Q. The conductor says that Mr. Dryer and this man who lost his watch was behind him? A. The man that lost his watch was behind him?
- Q. Yes? A. I do not know.

- Q. Where was Dryer, wasn't he behind him too? A. Behind who?
- Q. Behind the conductor -- what did you run away for?
- A. I did not run away, the man grabbed me and accused me of taking the watch, I did not like the idea, I felt indignant.
- Q. Grossly and highly indignant? A. No, not grossly and highly indignant, I was innocent of it.
- Q. And did not feel grossly indignant for being arrested and charged with this crime -- did you feel indignant at all?
- A. Yes, I did.
- Q. You were so indignant you wanted to run away, is that the idea? A. Yes sir.
- Q. Your indignation manifested itself by running?
- A. Yes sir.
- Q. Well, you had no other cause to run except your indignation? A. I had no other particular cause to run, no sir.
- Q. And then he got hold of you again? A. Yes sir, he got hold of me again.
- Q. Then your indignation so overmastered you that you tried to leave your coat in his hands and run away the second time? A. No, I did not attempt to leave my coat in his hands.
- Q. Did not you try to slip out of the coat? A. No sir.
- Q. He tore the coat off? A. Yes sir, he tore the sleeve of it.
- Q. And then your indignation after he tore it still mastered you and you kept on running until he caught you again, did not he? A. Yes sir.

Q. Then you solicited these men to come to your assistance?

A. No sir, I thought it was useless to ask anybody, the street was crowded, it would be impossible.

Q. How far did your indignation carry you those different times when you were running?

Objected to.

Q. How far did you run each time? A. A few feet.

Q. Why did not you run further? A. I could not do it, I was not able to, I could not fly.

Q. You wanted to run from the man? A. Yes, I attempted to run because I knew I was getting accused unjustly, to escape being arrested.

Q. Why, you were an innocent man, weren't you? A. Yes sir, I understand that but I realised what it would amount to if I was arrested.

Q. Did not you know that the man who was running away is generally taken to be the thief? A. Yes sir, I understand that.

Q. Knowing that you still persisted in running?

A. Yes sir.

Q. On account of your indignation? A. No, I knew if I was arrested hardly anybody in the world would believe that I was innocent.

by Counsel. Q. You have been arrested beside that on suspicion many times?

A. Yes sir, about fifteen times, I have been taken away from my own sister a couple of times and have been discharged the following morning.

Q. No complainant? A. No complainant, the officer simply says, "what are you doing along here?" "I am walking home"

- Q. No charge whatever against you? A. No sir, it has been so with me, I can prove fifteen times I have been held over night.
- Q. How many times have you been arrested where no complainant has appeared against you, no positive charge made against you, simply arrested by a detective sergeant?
- A. About a dozen of times.
- Q. Now you knew when you were arrested that you would be brought to the Police Headquarters? A. Yes sir, I heard the sergeant instruct the officer to do so.
- Q. It is customary I believe? A. Yes sir.
- Q. You have been convicted once of crime and have been arrested numerous times and discharged? When you ran from the grasp, broke away from the grasp of Mr. Dryer and ran away, will you tell me now in your own way just what animated you, you broke away from him and ran? A. I knew that if I was arrested that it would be taken for granted I was guilty because I was ----
- Q. Because you were once previously convicted? A. Yes sir, I remember being arrested one time and stood up so that a gentleman could identify me, and he identified me as the man that took the watch off him and I was in bed that morning for six hours after the commission of the crime. It is said it took place half past eight Saturday morning and I did not get up until one o'clock and in the evening I was arrested. It would be repeated the same thing; I could not convince anybody I was innocent.
- Q. You have been convicted once before? A. Yes sir, of the same thing; you could subpoena fifty people that could give the same testimony as I can give.

Q. Mr. Jerome has asked you if in 1883 you were not convicted with Shortell? A. No sir.

Q. You were convicted in 1882? A. Yes sir, in 1882.

Q. In what month? A. January.

Q. You got two years then A. Yes sir.

Q. Mr. Shortell was convicted in 1883, therefore you could not have been out of prison? A. I never heard anybody named Shortell in my life.

By Mr. Jerome. Q. When this man stood you up and identified you were you indicted for that crime? A. No sir, discharged right then, taken over to Jefferson Market and discharged.

Q. Though he identified you? A. Yes sir, the man weakened on his testimony, he said he did not know.

Q. You are one of the men who are not permitted in this city to go below Fulton Street? A. Yes sir.

Q. When you get below there a detective taps you on the shoulder? A. Yes sir -- I have never been met that way, I never had occasion to go down to Fulton Street only once.

Q. The fifteen arrests are exclusive of Fulton Street?

A. No, standing on the street corner coming out of the theater, ever a is take

Q. When ~~that~~ watch was stolen they ~~took~~ you up as one of the first men? A. No, not when a watch is stolen in that neighborhood.

Q. Where did you get that watch that was found on you?

A. I bought it of a man who was attending bar, he bought it in a saloon of Morris Lee.

Q. He was after purchasing it? A. He said, "I will sell it to you for what it cost me."

Q. What did you carry it in your trousers pocket for?

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A. My vest was tore off me the witness knows, I threw one part of my vest in the ash barrel.

Counsel: That is our case.

Mr. Jerome: That is the Peoples' case.

Counsel summed up to the Jury.

The People
v.

Michael Fleming

Court General Sessions. Part I
Before Recorder Smyth

Thursday Sept. 25. 1890.

Indictment for grand larceny second degree.
George J. Dreyer sworn and examined
testified. I am in the woollen business;
on the 4th of Sept. I was in a Canal St.
street car; the car was corner of Elm St
and Walker at the time of the occurrence.
I got on the car at Bowery and Canal
St.; the car was behind time and crowd-
ed and I sat on the dash board and
next to me was a gentleman from the
West on the rear of the platform; on the
corner of Canal and Centre Sts. I saw
this defendant and two others run after
the car from Centre to Elm St.; they got
on there and paid their fares. They had
not got but one block where I heard
some one say, "I want to get off at Bow-
ery." I looked sideways and I saw this
defendant hold up his arm. I saw his
hand this way first (showing) and
then I saw the watch and chain come
out; he had it in his right hand and
he passed it to his left and I grabbed
him and said, "I saw that." "Saw what?"
he said. "You take that watch." He got
off the car and I after him. He

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ran up against a case, and he said,
"you son of a b—h what are you
holding me for? I did not take any watch.
Meanwhile I saw the conductor with the
watch. I beckoned to the man who lost
the watch. I says, "Come along." I had hold
of the defendant and he danced along
and off went part of the coat; he tore my
nails off. He said, "We are all human;
don't kill me." He got away and ran
about two hundred feet. I ran after
him again. I don't know whether I hit
him, and he fell, and in the act of
getting up I gratted him again. He
called me some vile names and I
said, "you won't go away from me";
he wanted to know what right I had to
arrest him, I was no officer. I said, "you
have got to go with me." I walked down
as far as Church St.; they are very
long blocks. He said, "I won't go any fur-
ther with you." I said, "you will." He
commenced to dance around and
made the remark, "Is there some one
here to intercede for me?" and the first
thing I know truck drivers around
there grabbed hold of me and took
hold of him. He ran seventy five feet

I got hold of him again and took my left hand to have my right hand clear in case he hit me. I said, "If you don't go with me I will blow your brains out." He said, "We are all human; I have got some money in my clothes if you come around the corner I will do the right thing with you." His vest was very much torn. I walked him down West Broadway, and the truck men were hooting me. I looked for a policeman and I met one at Franklin St.; he was off duty and he took him in the station house. The man who owned the watch did not come along. The same day I was speaking with a gentleman, and by accident I found out where the man who owned the watch was stopping. I saw the watch; it was a very handsome gold watch. I went to the office where he was, he showed it to me; he said he gave in the neighborhood of \$150 for it and \$60 for the chain. His name was Hertz and he went to Terre Haute, Ind., his business called him home. He was before the Grand Jury, but he had to go away.

Cross Examined: I am 33 years old. When I saw the defendant take the watch out of the man's pocket he did not hand it to

somebody else; he took it from his right hand to his left. I do not think that I were in the Police Court that previous to this time I had been complainant in a criminal case against another person. I was going to business in White St. when I was sitting on the car. I have been twenty odd years in business. I am salesman in the Raritan Woollen Mills firm. I have never been convicted of crime. I never knew the man who carried the watch and had not seen him before that day. He sat on the dash board of the car next to me and the watch was in his left hand pocket and he was sitting on my right. I saw the chain hanging from his vest. He had on a blue suit of clothes and a cutaway coat. I don't know in what position his hands were. Then I saw the man jump on the car. I did not fancy his looks and therefore I looked around and that was why I suppose I saw the watch taken.

William Pickers sworn and examined. I am a car conductor and was on the car the day the watch was stolen. I don't know anything more about it than that a man told me to stop at Broadway

ran up against a case, and he said,
 "you son of a b—h what are you
 holding me for? I did not take any watch.
 Meanwhile I saw the Conductor with the
 watch. I beckoned to the man who lost
 the watch. I says, "Come along." Had hold
 of the defendant and he danced along
 and off went part of the coat; he tore my
 nails off he said, "we are all human;
 don't kill me." He got away and ran
 about two hundred feet. I ran after
 him again. I don't know whether I hit
 him, and he fell, and in the act of
 getting up I grabbed him again. He
 called me some vile names and I
 said, "you won't go away from me;
 he wanted to know what right I had to
 arrest him, I was no officer." I said, "you
 have got to go with me." I walked down
 as far as Church St.; they are very
 long blocks. He said, "I won't go any fur-
 ther with you." I said, "you will." He
 commenced to dance around and
 made the remark, "Is there some one
 here to intercede for me?" and the first
 thing I know truck drivers around
 there grabbed hold of me and took
 hold of him; he ran seventy five feet

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CITY AND COUNTY }
OF NEW YORK, } ss.

aged 38 years, occupation William Pickup
Conductor of No. 13 Hill Street, Brooklyn

Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of George J. Dryer

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

Sworn to before me, this 51th

day of September 1888

William Pickup
Socon Blum
Police Justice.

It was this gentleman who lost the watch. I pulled the bell for him to stop. I heard a man say, "I lost my watch." I looked at the man and this last witness, Mr. Dreyer grabbed the defendant and said, "I have got you, I saw you take it." He pulled him off the car, and then another passenger alongside of me said, "Here is the watch." I picked it up and handed it to the man who said he lost it; it was a beautiful watch. The man went off after I gave him the watch. The street was blocked and I had to stop. Mr. Dreyer took the number of the car and said, "I have got your number." I did not think anything more of it, being the man got his watch. I did not think I would be called up as a witness. I saw the defendant get away from Mr. Dreyer. I was going down through Walker St. I could not help but see it. Mr. Dreyer chased him and caught him again. I went on with my car and that was the last I saw of it.

Cross Examined: Mr. Dreyer got in the car at the Bowery; he sat on the left hand side of me in the dash, and the gentleman who lost his watch, whose name I do

do not know sat on the back of the dash next to him. The defendant and another man hailed me at Centre St. I stopped for them and they boarded the car; the defendant stood to the left of me in the car - That would be on the ~~down~~ town side; the gentleman who lost the watch was behind me. I was standing; the defendant was on the other side of Mr. Dreyer and was standing in front of him in the car. The platform is narrow. I suppose the defendant was a foot and a half from the man who lost the watch. I was standing at the door of the car when the defendant reached it. The defendant and Mr. Dreyer were on my left. The car was crowded that time. There were about six on the platform when the defendant and the other man got on.

Christopher Farrell sworn. I am an officer of police and arrested the defendant on the 11th of Sept. in the corner of Franklin St. and West Broadway. Mr. Dreyer came along and handed him over to me. He said that the defendant had stolen or attempted to steal a man's watch. The defendant did not say anything.

He just walked along with me to the station house. He made no resistance; a complaint was made at the station house of stealing this watch; he said he did not take the watch. I took him to the Police Court the next day and he was held on this charge. I asked him about this affair, but he did not give me any information, he kept quiet.

Cross Examined. I remember the examination which was had in the Police Court in this case. I remember the testimony of Mr. Dreyer. I was right along side of him when he was giving his testimony. I heard it all.

Michael Fleming sworn and examined in his own behalf testified. I am a tin smith. I remember being on a Canal Street car the day I was arrested. I don't remember seeing Mr. Dreyer until he grabbed me and pulled me off the car. I saw the Conductor. I never saw the man from whom it is claimed the watch was taken. I got on the car alone. I paid my fare as soon as the Conductor came from inside the car to collect it. There was somebody else got on the same side. I don't know whether it was Dreyer or who it was. After I paid my fare I stepped one side to let them get in. I was told to go inside; a man was going out and

a lady sat in his place and I moved back again to the platform of the car. When the car got to Elm or Walker street it was blocked. A man stepped one side and he said, "Let me get off," and he got off. Mr. Degee afterwards pulled me off the car and in doing so he tore all my vest and coat and knocked me down on the street. At any time during that time did you have in your possession any gold watch? No sir. Did you take that watch from the possession of that man? No sir, I did not. You have been unfortunate before this time have not you? Yes. You have been in State prison? Yes. Have you were arrested charged with larceny before were you not? Yes. Did you plead guilty to that? Yes. You were sent to the State prison for two years were you not? Yes. You did your time there and came home? Yes. I did. When was that? In 1882. Since that time you have not been arrested charged with any offence? No sir. Have not. You had worked for various persons in New York here? Yes sir.

Cross Examined: What name were you convicted under? John J. Sullivan. It was for an attempt at larceny in January I believe 1882.

What other time were you convicted beside
 that one? Not for larceny at all. What was
 the conviction for? Assault. Whom did
 you assault? I cannot remember now.
 You know Inspector Byrnes don't you? No.
 John J. Sullivan was your name at that
 time? Yes. Do you know Johnny Dodd? No.
 How long were you sent for assault?
 I was sent to the City prison for 25 days.
 What else were you convicted of beside
 that? I was not convicted of anything.
 You never have been in any prison be-
 side Sing Sing? No. I have been in the
 Tombs for suspicion of larceny and was
 discharged. How many times have you
 been up for watches? Once or twice beside
 that. I have been arrested on suspicion;
 Sometimes thousands of other people in
 New York have been arrested two or three
 times every week. Is not your true
 name John J. Sullivan? No sir. Were you
 not arrested on the 22nd of January 1883
 with one Frank Shurtell? No. You do not
 know Shurtell and never have seen him.
 No sir. Who was with you this night
 when you got on that car? Nobody at all.
 The Conductor says you got on with
 another man? I may have got on
 with another man but I did not

Know the man. I did not get on with
 another man. There were you standing
 when Dreyer grabbed hold of you? I was
 standing in the door way - half way in
 and half way out of the car. He was
 behind you? I don't remember where he
 was. Did he grab you from the front
 or from behind? I was facing out of the
 car and he was facing in. He ~~ran~~
 reached over and grabbed me and pulled me
 off the car; the car was at a stand
 still on the corner of Broadway; he pulled
 me on the street. I do not know whether
 the man who lost his watch was behind
 Dreyer or not. I did not run away;
 the man grabbed me and accused
 me of taking the watch. I did not like
 the idea. I felt indignant. I was innocent
 of it. Your indignation manifested itself
 by running? Yes I had no other particular
 cause to run. He got hold of me again.
 I did not try to leave my coat in his
 hands. I did not try to slip my coat;
 he tore the sleeve of it. I kept on run-
 ning until he caught me again.
 I did not solicit any men to come
 to my assistance. I ran a few feet
 each time. I attempted to run because

I knew I was getting accused unjustly to escape being arrested. I understood I was innocent but I realized what it would amount to if I was arrested. I didn't you know a man who was running away is generally taken to be the thief? Yes, I understood that. Knowing that you still persisted in running? Yes, I know if I was arrested hardly anybody would believe I was innocent.

By Counsel You have been arrested how many times on suspicion? About fifteen times. Have been taken away from my own sister a couple of times and have been discharged the following morning, no complainant appearing. An officer would come along and simply say, "What are you doing here?" "I am walking home." How many times have you been arrested where no complainant has appeared against you and no positive charge made against you, simply arrested by a detective Sergeant? About a dozen of times. Have been brought to the Police Headquarters. I knew if I were arrested on this charge it would be taken for granted I was guilty because I was previously convicted. I remember being arrested one time and stood up, so that a

gentleman could identify me. and he identified me as the man that took the watch from him. It was said that the crime was committed half past eight o'clock Saturday morning and I did not get up till one o'clock and in the evening I was arrested. It would be the repetition of the same thing. I could not convince anybody. I was innocent. I was convicted in January 1882 and got two years. I never heard of anybody of the name of Shattell in my life.

By Mr. Jerome. You are one of the men who are not permitted in this city to go below Fulton St? Yes. When you get below there a detective taps you upon the shoulder? I have never had occasion to go down to Fulton St. only once. Where did you get the watch that was found on you? I bought it of a young man who was attending bar; he bought in a saloon of Morris Lee; he said he would sell it for me for what it cost him. The witness knows my vest was tore off me. I threw one part of my vest in the ash barrel. The jury rendered a verdict of guilty of grand larceny in the second degree.

0790

Testimony in the
case of
Michael Glenning
pled Sept.
1890.

0791

Police Court- District.

Affidavit-Larceny.

City and County } ss.:
of New York,

George J. Greyer
of No. 14 & 16 White Street, aged 33 years,
occupation Salesman being duly sworn

deposes and says, that on the 4 day of September, 1889 at the City of New

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

person of deponent, in the day time, the following property, viz:

A gold watch valued

at One hundred dollars

the property of an unknown man

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 Michael Fleming (number)

for the reasons following to wit:
on the said date as deponent
was riding on the rear platform
of a car which car was running
on Wallen Street he saw the defendant
take said watch from the vest
pocket of an unknown man who
was in said car. Deponent seized
hold of defendant. The defendant
dropped said watch, which watch
was picked up by William
Lickup and handed by him
to said unknown man.

Geo. J. Greyer

Sworn to before me, this 5th day of September, 1889.
J. J. Greyer
Justice.

0792

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty-
Michael Fleming

Taken before me this 1st day of *February* 189*2*
John D. Sullivan
Police Justice

0793

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 *fifteen* 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 *Sept 14* 18..... *Solomon Blumenthal* 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.

0794

Police Court---

1375
District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

1

2

3

4

Dated

188

Magistrate.

Officer.

31 Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

Q

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

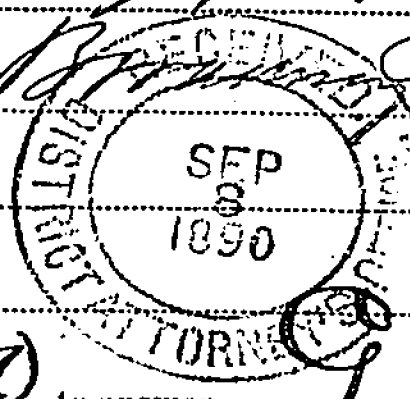
Residence

Street.

No. 4, by

Residence

Street



0795

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 Fleming

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

Michael Fleming
of the CRIME OF GRAND LARCENY in the *second* degree committed as follows:

The said

Michael Fleming

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

*one watch of the
value of one hundred dollars*

of the goods, chattels and personal property of ~~one~~ *a man whose*
~~name is to the Grand Jury aforesaid unknown,~~
on the person of the said *man*
then and there being found, from the person of the said *man*
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. Feltows,
District Attorney.

0796

BOX:

409

FOLDER:

3788

DESCRIPTION:

Fleming, Walter M.

DATE:

09/19/90



3788

0797

POOR QUALITY
ORIGINAL

Bail fixed at \$7500
R.B.M.

Witnesses:

Josephine Stephens
Lella Foster

Since the trial of Peo. v. [illegible]
which was similar to this case
I have been advised that no con-
viction could be had herein - I
therefore recommended the dismissal
of this indictment.
Sept 12, 1892.

Walter M. Fleming
Att. Gen.

Ordered
by Lella E. Fleming
Sachinmont
Westchester Co.
N. Y.

+15
Donchue Lawrence & Cardozo
96 Broadway

Counsel,

Filed

day of

189

Pleas,

THE PEOPLE

vs.

B
-14

Walter M. Fleming

Agenda [illegible]
See 528 & 530 (Card Case)

Ordered to the COURT by

JOHN R. FELLOWS,
District Attorney
of the COUNTY of NEW YORK,
for trial (Entered in the Minutes)

A TRUE BILL
Rec'd on [illegible] 19 189
Dec. [illegible] 13/91
Foreman

Ordered to the COURT of
General Sessions
of the COUNTY of NEW YORK,
for trial (Entered in the Minutes)

Part One - Sept 13, 1892 - U.M.D.

0798

POOR QUALITY
ORIGINAL

Filed Sept 12

Witnesses:

Josephine Stephens
Lella Foster

Since the trial of Geo. W. [illegible],
which was similar to this case,
I have been convinced that no con-
-viction could be had herein - I
therefore recommend the dismissal
of this indictment,
Sept 12, 1892.

Vernon M. Davis
Clerk.

Filed
by Lella E. Fleming
Larchmont
Westchester Co.
N. Y.

#152

Counsel,

Filed

day of

18

Pleads,

THE PEOPLE

vs.

Walter M. Fleming

JOHN R. FELLOWS.

District Attorney.

A TRUE BILL

Dec 19 1891
Dec 19 1891
Dec 19 1891
Foreman.

Part One - Sept 13, 1892 - U.M.D.

0799

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Walter M. Fleming

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

Indictment accuse

Walter M. Fleming

of the crime of

Grand Larceny in the first degree

committed as follows:

Heretofore, to wit:

at a Court of General Sessions
of the Peace, held in and for the City and
County of New York, at the City Hall in the
said City on the fifteenth day of July in the
year of our Lord, one thousand eight
hundred and ninety, before the Honorable
Randolph B. Martine, Judge of the said
Court of General Sessions of the
Peace, and Justice of the said Court,
one Alphonse J. Stephani, the defend-
ant in a certain criminal action then
and yet pending and undetermined
in the said court in which the People
of the State of New York were plaintiffs,
upon an indictment for the felony of
murder in the first degree, and then
in confinement in the City Prison of the

said City of New York, under the said indictment, appearing to the court to be insane, a commission composed of Gilbert M. Speer, the younger, attorney and counsellor at law, the said Walter M. Fleming, M.D. and Meredith Glynn, M.D. physicians was, in due form of law appointed by the said court to examine the said Alphonse J. Stephanic and report to the said court as to his sanity at the time of the examination.

And the said Walter M. Fleming late of the City of New York in the County of New York, aforesaid, having been so appointed as such commissioner, thereafter, and before the said commission had proceeded upon the discharge of the duty so imposed upon it, to wit: on the seventeenth day of July in the year of our Lord, one thousand eight hundred and ninety, at the City and County aforesaid, with force and arms, with intent to deprive and defraud one Josephine Stephanic, the mother of the said Alphonse J. Stephanic, of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to

appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to the said Josephine Stephani; That there was then required for the proper purposes of the said commission and for the legitimate expenses thereof, the sum of eight hundred dollars, and that she, the said Josephine Stephani was chargeable with the payment of the said sum; That the said sum was needed and to be used, among other things, in the payment of fees of physicians who were to testify before the said commission; That in order that the said commission should be properly and successfully conducted, and the interests of the said Alphonse J. Stephani properly protected, she, the said Josephine Stephani was then required to pay to him, the said Walter M. Fleming, the said sum of money, and that for the purposes aforesaid it was right, lawful and necessary that she, the said Josephine Stephani should then pay to him, the said sum of money.

And the said Josephine Stephanie then and there believing the said false and fraudulent pretences and representations so made as aforesaid by the said Walter M. Fleming and being deceived thereby, was induced, by reason of the false and fraudulent pretences and representations so made as aforesaid, to deliver, and did then and there deliver to the said Walter M. Fleming, the sum of eight hundred dollars in money, lawful money of the United States of America and of the value of eight hundred dollars, and one written instrument and evidence of debt, to wit: an order for the payment of money of the kind called bank cheques, for the payment of, and of the value of eight hundred dollars, of the proper moneys, goods, chattels and personal property of the said Josephine Stephanie.

And the said Walter M. Fleming did then and there feloniously receive and obtain the said proper moneys, goods, chattels and personal property from the possession of the said Josephine Stephanie by color and by aid of the false and fraudulent pretences and representations aforesaid.

with intent to deprive and defraud the said Josephine Stephani of the same and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas in truth and in fact, there was not then required for the proper purposes of the said commission, or for the legitimate expenses thereof, the sum of eight hundred dollars, and she, the said Josephine Stephani was not chargeable with the payment of the said sum, and the said sum was not needed, or to be used, among other things, in the payment of fees of physicians who were to testify before the said commission; and she, the said Josephine Stephani was not then required to pay him, the said Walter M. Fleming, the said sum of money, in order that the said commission should be properly and successfully conducted, or the interests of the said Alphonse J. Stephani properly protected; and it was not right, lawful or necessary that she, the said Josephine Stephani should then, or at any time pay to him, the said sum of money for the purposes

aforesaid.

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said Walter M. Fleming to the said Josephine Stephani was and were then and there in all respects utterly false and untrue as he the said Walter M. Fleming at the time of making the same then and there well knew.

And so the Grand Jury aforesaid, do say that the said Walter M. Fleming in the manner and form aforesaid by the means aforesaid, the said persons moneys, goods, chattels and personal property of the said Josephine Stephani then and there feloniously did steal; against the form of the Statute in such case made and provided and against the peace and dignity of the said people.

John L. Bellows,
District Attorney.

0805

BOX:

409

FOLDER:

3788

DESCRIPTION:

Flynn, William L.

DATE:

09/04/90



3788

0006

Witnesses:

A.C. Goodman
Off Larkin.

Counsel,

Filed **4**

day of

Sept. 1890

Pleas,

Myself

THE PEOPLE

vs.

Grand Larceny, *1st* Degree.
(From the Person of *1*)
[Sections 528, 530, Penal Code].

William L. Flynn

JOHN R. FELLOWS,

Sept 11/90 District Attorney.

A True Bill.

Wm. S. Hayes

Sept 2 - Sept. 12, 1890

Fried and Acquitted.

0807

Police Court

District

Affidavit—Larceny.

City and County } ss.:
of New York,

of No. United States Ship Philadelphia Street, aged 26 years,
occupation Seaman being duly sworn

deposes and says, that on the 18 day of August 1882 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession and
person of deponent, in the night time, the following property, viz:

Good and lawful money
of the United States consisting
of a five dollar bank bill
of the value of five dollars
\$5.00

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 William L. Flynn (working

for the reasons following, to wit: on the
said date at the hour of 11 o'clock
P.M. the defendant snatched the
said bill from deponent's hand
and ran away with the same.
The said bill was found in
the possession of defendant
by Officer Bernard Kerstin

D. C. Baldwin

Sworn to before me, this

day

of August 1882

of Philadelphia Police Justice.

0000

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 30 years, occupation Police Officer of No. Bernard Larkin

60 Recumbent Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of William C. Baldwin

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

Sworn to before me, this 19 day of August 1888 } Bernard Larkin

W. C. Baldwin
Police Justice.

0009

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

William Flynn being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against 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.

Taken before me this

day of

1882

Police Justice.

08 10

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.....

Referred on
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 17 18 90 J. M. Pettus 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.

0811

Ex Aug 21
2 1/2 P.M

BAILED

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court---

1303
District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

R. C. Baldwin

John L. Flynn

2.

3.

4.

Dated *Aug 19 1890*

W. J. Peterson Magistrate.

Harwin Officer.

6 Precinct.

Witnesses *Officer*

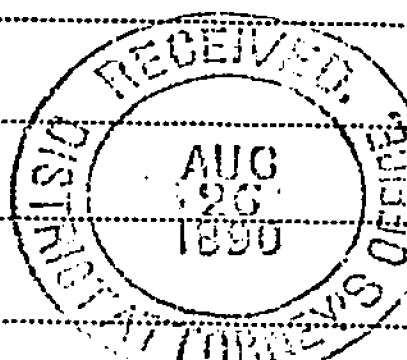
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *1000* to answer *Sp.*

Com G. L. Nelson



08 12

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William L. Flynn

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

William L. Flynn
of the CRIME OF GRAND LARCENY in the *first* degree committed as follows:

The said

William L. Flynn

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

one promissory note for the payment of money of the kind commonly called United
States Treasury Notes, of the denomination and value of *five* dollar; *one*
promissory note for the payment of money of the kind commonly called Bank Notes, of the de-
nomination and value of *five* dollar; *one* United States Gold Certificate,
of the denomination and value of *five* dollar; *one* United States
Silver Certificate, of the denomination and value of *five* dollar;

of the goods, chattels and personal property of one *Daniel C. Baldwin*
on the person of the said *Daniel C. Baldwin*
then and there being found, from the person of the said *Daniel C. Baldwin*
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 L. Holloway,
District Attorney

0813

BOX:

409

FOLDER:

3788

DESCRIPTION:

Foeller, William

DATE:

09/25/90



3788

#226

Witnesses:

Henry Humphreys

Off. Remond - 33rd Precinct

Sworn for office

Counsel, *W. R. Fellows* 1891
Filed *Sept 6*
Pleads, *W. R. Fellows*

THE PEOPLE

vs.

Grand Larceny Second Degree.
[Sections 628, 631, Penal Code.]

William Foeller

JOHN R. FELLOWS,

District Attorney

A True Bill.

W. R. Fellows
Sept 6 1891 Foreman.
James A. Kelly
Sept 6 1891
W. R. Fellows

Messers
Sept has sent
a letter in
to

08 15

Police Court—6 District.

Affidavit—Larceny.

City and County }
of New York, } ss.of No. 607 East 142nd Henry Stumpf
Street, aged 21 years,

occupation Carriage Maker being duly sworn

deposes and says, that on the 13th day of September 1890 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz: One Zither

and musical instrument case, of the value together of Sixty Dollars

the property of Charles Stumpf and in deponent's care and custody

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by William Foller, now here, from the following facts: Said Zither was left by deponent in a closet in his said residence on the 11th day of September and was missed therefrom by deponent on said 13th day of September. Said Foller was a boarder on said premises, but left the place leaving behind him a letter acknowledging that he had taken said Zither and enclosing a train ticket for the same. Deponent pursued and apprehended said Foller and detained him until he was taken into custody by Officer Reinhardt of the 33rd Precinct Police.

Henry Stumpf

Sworn to before me, this 14th day of September 1890.

Police Justice.

08 16

CITY AND COUNTY }
OF NEW YORK, } ss.

Oscar Reinhardt

aged _____ years, occupation _____ of ~~No~~

We 33rd Precinct Police

~~Street~~, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Henry Stumpf

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

Sworn to before me, this

14

day of

September

1890

Oscar Reinhardt

W. W. Meade
Police Justice.

08 17

Sec. 198-200.

6th

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

William Foller

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 Foller

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. New York City

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

Answer. 607 East 142nd street, 2 weeks

Question. What is your business or profession?

Answer. Baker

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 Foller

Taken before me this

14

day of September

1890

Wm Foller

Police Justice.

08 18

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 William

Follen

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 September 16 1890

C. O. Mead Police Justice.

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

Dated _____ 18

Police Justice.

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

Dated _____ 18

Police Justice.

0819

Police Court--- 6 - 1406 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Samppel
~~606 East 84~~
1 *William Holler*

2
3
4

James
Feeling
Offence

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *September 14* 1890

Meade Magistrate.

Reinhart Officer.

33d Precinct.

Witness *said officer*

No. Street.

No. Street.

No. Street.

\$ *2.00* to answer *yes*

Com

gtz



0820

Court of General Sessions of the Peace.

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William Fetter

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

William Fetter

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

The said

William Fetter

late of the City of New York, in the County of New York aforesaid, on the *thirteenth*
day of *September* in the year of our Lord one thousand eight hundred and *ninety*;

, at the City and County aforesaid, with force and arms,

*one zither of the value of fifty-
five dollars, and one case of the
value of five dollars*

of the goods, chattels and personal property of one

Charles Stumpf

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 Q. Holloway
District Attorney

0821

BOX:

409

FOLDER:

3788

DESCRIPTION:

Freeman, Catharine

DATE:

09/25/90



3788

Witnesses:

E. R. L...

Wm. Jefferson

I respectfully recommend that this indictment be dismissed. The people have not sufficient evidence to warrant their placing this deft on trial.

Part 2 Nov. 14/90

Wm. Jefferson
Wm. Jefferson

Chas. J. Cunningham
641
Wm. Jefferson
#209
14/11

Counsel,
Filed *25* day of *Sept* 1890
Pleads, *Not guilty*

THE PEOPLE
vs.
Carthage Freeman
H.D.
16 Oct 11 P 3 ACP

JOHN R. FELLOWS,
District Attorney.

A TRUE BILL.

Wm. S. Hayes
Part 2 - Nov. 14/90
Foreman.
Indictment dismissed
on motion of District Attorney.

0023

Police Court— District.

City and County { ssr.
of New York,

Catherine Freeman
of No. 22 West 28th Street, aged years,
occupation Launderess being duly sworn

deposes and says, that on the 27 day of August 1888 at the City of New
York, in the County of New York,

She was violently and feloniously ASSAULTED and BEATEN by William
Jefferson, (now here) who cut
deponent a gash under the left
arm with a knife then used then
held the hand of the said
deponent.

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 28 day
of August 1888 Catherine Freeman

John B. Brown Police Justice.

0824

Sec. 198-200.

1. District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

William Jefferson 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.

William Jefferson

Question. How old are you?

Answer.

25 years

Question. Where were you born?

Answer.

N.Y.

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

Answer.

140 West 27 St Coal seller

Question. What is your business or profession?

Answer.

Coal seller

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 Jefferson

Taken before me this

day of

August 1882

25

Police Justice.

0025

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.....

William Jefferson

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

Eight 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 28 1890 John H. ... Police Justice.

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

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

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

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

0026

\$15.00 bail for Ey
9 AM Aug 29

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. 1320

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Catherine Freeman
221 1/2 St 28
Wm Jefferson

2 _____
3 _____
4 _____

Offence Assault
felony

Dated Aug 28 1888

Freeman Magistrate.

Lewis Officer.

20 Precinct.

Witnesses Ellsworth Bradley

No. 221 1/2 St 28 Street.

No. _____ Street.

No. _____ Street.

\$ 15.00 to answer S. J. S.

Call Wm Jefferson

0827

District Attorney's Office,
City and County of New York.

City and County }
of New York, } ss.

of North Street Everett Lewis Street, aged years,
occupation Police Officer being duly sworn, deposes and says,
that on the 23rd day of August 1890, at the City of New
York, in the County of New York, one Catherine Freeman did

as deponent has good cause to believe commit the
crime of perjury by falsely swearing in and
by the information annexed hereto, before
John J. Forman, Police Justice then on the
24 day of August 1890 she had been feloniously
assaulted by William Jefferson who carried
her a gun under the left arm with a knife
with intent to take her life or do her
aquaintance bodily harm.

An oath before me this

24 day of September 1890

Everett K. Lewis

Thos A. Morgan

Commissioner of Clubs
N.Y.C.

0020

1117 90
DISTRICT ATTORNEY'S OFFICE.

City and County of New York.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Everett K. Lewis

vs. 10 Peck.

Catharine Freeman

Offence

1890 September 24 1890

Witnesses, Wm. Jefferson

No. Home of Selection Street,

Com. Sept 24 by Randall Sept 24

No. 1117 Chas. J. Cunningham
World Office

No. Street,

10 Peck
Catharine Freeman
Sept 24 1890

0029

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Katharine Freeman

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

Indictment accuse *Katharine Freeman* —

of the crime of *Battery*, —

committed as follows:

The said *Katharine Freeman*,

late of the City of New York, in the County of New York, aforesaid, on the

Twenty-eighth day of *August*, in the year of our Lord one thousand
eight hundred and eighty — *ninety* — , at the City and County aforesaid,

did personally appear and appear before John
J. Freeman, Esquire, then and yet being
one of the Police Judges of the said City
of New York, and did then and there
produce and exhibit to the said John J.
Freeman Esquire, such Police Justice as
aforesaid, a certain information in writing
of her the said Katharine Freeman, charging
one William Jefferson with having on the
Twenty-seventh day of August in the year
aforesaid at the City and County aforesaid,
feloniously assaulted and beaten her the

said Katharine Freeman, she came being
then and there duly sworn and subscribed
by her the said Katharine Freeman in
her own proper handwriting.

And the said Katharine Freeman was
then and there, to wit: on the said twenty-
eighth day of August, in the year
aforesaid, at the City and County aforesaid,
in due form of law sworn, and did take
her corporal oath by and before the said
John J. Freeman Esquire, Police Justice as
aforesaid, touching and concerning the truth
of the matters contained in the said
information, the said John J. Freeman
Esquire, as such Police Justice then and
there having full and competent power
and authority to administer the said
oath to the said Katharine Freeman in
that behalf.

And the said Katharine Freeman, being
so sworn as aforesaid, then and there, before
the said John J. Freeman Esquire, such
Police Justice as aforesaid, upon her oath
aforesaid, in and by her said information
in writing feloniously and unlawfully
and corruptly did falsely swear, depose
and say, in substance and to the effect
following, that is to say: that on the
said twenty-eighth day of August, in

the year aforesaid, at the City and County aforesaid, the the said Catherine Freeman was violently and feloniously assaulted and beaten by the said William Jefferson, who cut then the said Catherine Freeman a gash under the left arm with a knife then and there held in his hand, with the felonious intent to take the life of her the said Catherine Freeman, or to do her grievous bodily harm, and without any justification on the part of the said William Jefferson.

Whereas in truth and in fact the the said Catherine Freeman was not on the said twenty seventh day of August in the year aforesaid, at the City and County aforesaid, violently and feloniously assaulted and beaten by the said William Jefferson, and the said William Jefferson did not cut then the said Catherine Freeman a gash under the left arm with a knife then and there held in his hand, with the felonious intent to take the life of her the said Catherine Freeman, or to do her grievous bodily harm, and without any justification on the part of the said William Jefferson, all of which are the said Catherine Freeman then and there well knows.

And as the said jury of persons
do say: That the said Radcliffe Freeman,
in manner and form aforesaid, did knowingly,
intentionally, unlawfully, corruptly and falsely
did commit illegal and corrupt perjury
against the form of the Statute in such
case made and provided, and against the
oath of the People of the State of New
York, and their dignity.

John A. Edwards,

District Attorney