

0 189

BOX:

543

FOLDER:

4940

DESCRIPTION:

Feinien, Christ

DATE:

12/06/93



4940

42

Witnesses:

COURT OF OYER AND TERMINER.

Counsel,

Filed,

Pleads,

6th day of Dec 1893

Ignorantly

THE PEOPLE

vs.

B

Christ Feimin

General Sessions

Dec 8th 93.

VIOLATION OF THE EXCISE LAW.
Selling, etc, on Sunday.
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. Cross

Foreman.

Complaint sent to the Court
of Special Sessions,

Part III, Dec 20, 1893.

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Christ Feinien

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

Christ Feinien

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

Christ Feinien

late of the City of New York, in the County of New York aforesaid, on the 30th day of July three in the year of our Lord one thousand eight hundred and ninety-three, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

~~and~~ to certain ~~other~~ persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

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

Christ Feinien

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Christ Feinien

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

John Mangin

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0192

BOX:

543

FOLDER:

4940

DESCRIPTION:

Fennelly, Philip

DATE:

12/11/93



4940

0 193

Witnesses:

Bailed by
Louis Steward
20 W. 120th St

184 B. W. Dec 11/93
2103
COURT OF OYER AND TERMINER.

Counsel,

Filed,

Pleads,

11th day of Dec 1893
M. J. Kelly

THE PEOPLE

v.s.

Philip Fennelly

General Sessions

Dec 11 1893

DE LANCEY NICOLL,

District Attorney.

SUPREME COURT PART 1,

A TRUE BILL. December 22 1899
INDICTMENT DISMISSED.

R. J. Cross Foreman.

~~VIOLATION OF THE EXCISE LAW.
selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32.]~~

FILED DEC. 15

1899

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Philip Fennelly

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

Philip Fennelly —

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *Philip Fennelly*. —

late of the City of New York, in the County of New York aforesaid, on the *twenty ninth* day of ~~October~~ *October*, in the year of our Lord one thousand eight hundred and ninety-~~three~~ *three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to ~~one~~ *R. B. McCully, J. W. Buggs,* —

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

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

Philip Fennelly —

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Philip Fennelly*. —

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to ~~one~~ *R. B. McCully, J. W. Buggs,* —

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0-195

BOX:

543

FOLDER:

4940

DESCRIPTION:

Ferguson, Stella

DATE:

12/21/93



4940

229

Alford

Witnesses:

John W Mullen
Officer Vernon J Faneell
18 Point

Counsel,

Filed *21* day of *Dec* 189*3*

Pleads, *Myself*

THE PEOPLE

vs.

Stella Ferguson
Part 2 - Jan. 24/94
On motion of Dist.
Atty. deft discharged
on her verbal reprimand

DE LANCEY NICOLL,
District Attorney.

Grand Larceny, *1st* Degree,
From the Person.
[Sections 628, 530 Penal Code.]

I have examined
into this case
with care & in
as much as the
complainant
wishes to with
draw his the
complaint - I
think that the ends
of justice would be
accomplished by
discharging the de-
fendant upon her own
reimbursement & the
reimbursement of the
Jan 24/94

A TRUE BILL.

Shea Harris
Foreman.

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Stella Ferguson.

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. As complainant in the above case I desire to withdraw the complaint and ask that the defendant ^{be discharged.} The defendant and myself went into several liquor saloons during the small hours of the morning and I was somewhat under the influence of liquor & because of this and because the hours were furnished enough I ask to withdraw the complaint.

Joseph W. Muller,

Police Court Fourth District.

Affidavit—Larceny.

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

of No. 343 East 16th Street, aged 32 years,
occupation Trailer

Joseph M. Miller

deposes and says, that on the 12th day of December 1893 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession of the deponent, in the night time, the following property, viz:

Good and lawful money
of the United States of the
amount and value of about
eighty-two Dollars - (\$82⁰⁰/₁₀₀)

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 Stella Ferguson (now here)
from the following facts, to wit: that at about
the hour of 3 A.M. on the aforesaid day, deponent
was with said defendant in premises No. 154 or
156 Fourth Avenue in said City and said property
was in the pocket of the Pants and the pocket of the
Coat then and then upon deponent's person
and said defendant was sitting upon deponent's
knee and deponent felt said defendant insert
and place her hand in the aforesaid pocket of deponent's
coat and deponent immediately missed said
property and deponent then saw said property
in said defendant's hand and said defendant
did then run away. Joseph M. Miller.

Sworn to before me, this 15 day of December 1893
at New York
of New York
Police Justice.

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY OF NEW YORK:

Stella Ferguson

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

Question. What is your name?

Answer. *Stella Ferguson*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *Boston Mass.*

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

Answer. *No 433 West 20th Street and about 4 months*

Question. What is your business or profession?

Answer. *I am not working at present*

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.
Stella Ferguson*

Taken before me this

day of

[Signature]

Police Justice.

0200

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 Low 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, Dec 15 1893 John C. Burke Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0201

Police Court---

1347
1884
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

343 6 16
1 Jos. N. Miller
2 Stella Ferguson
3
4

Offense
Manslaughter
Felony

Dated, Dec 15 1893
Barker
Farrell
18
Magistrate.
Officer.
Precinct.

Witnesses
No. Street.
No. Street.



No. Street.
\$ 1000 to answer 5-5

Handwritten signatures and initials

BAILED,

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

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Stella Ferguson

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

Stella Ferguson

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

The said

Stella Ferguson

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

the sum of eighty-two dollars in money, lawful money of the United States of America, and of the value of eighty-two dollars

of the goods, chattels and personal property of one Joseph W. Mullen on the person of the said Joseph W. Mullen then and there being found, from the person of the said Joseph W. Mullen then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Lancey Nicoll District Attorney.

0203

BOX:

543

FOLDER:

4940

DESCRIPTION:

Ferris, Joseph T

DATE:

12/22/93



4940

Bail fixed at one thousand and
(000) dollars

Witnesses:

Henry Hildebrandt
Richard J. Blarke
Patrick J. Scully
George Malraon

Bailed Jan. 9/94
By Patrick B. Egan
42 Clinton Place
City

1409
Court of Oyer and Terminer

299
Counsel,

Filed 23 day of Dec 1893

Pleads, Not Guilty (28)

25
to Christopher

THE PEOPLE

vs.

B

Joseph J. Ferris
alias "Red" Ferris

Illegal voting

[Section 41 h, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

47th & 5th

A True Bill.

R. J. Cross Foreman.
Fet. 70.1 1894
Tried and convicted
Penitentiary one year
and a fine of \$500
plus 11/2

NEW YORK OYER and TERMINER .

XX

THE PEOPLE OF THE STATE OF NEW YORK, :

against :

JOSEPH T. FERRIS , :

XX

D e a r S i r ,

PLEASE TAKE NOTICE, that on the annexed Affidavit of JOSEPH T.FERRIS ,sworn to January 29th, 1895, and the Certificate of Louis D.Pilsbury,dated January 29th, 1895, Warden of the New York Penitentiary , and upon all the pleadings and proceedings herein , a motion will be made before Hon: George C.Barrett, one of the Justices of the Supreme Court of the State of New York, at the Circuit thereof PART TWO in the County Court House in the City of New York on the 31st day of JANUARY, 1895, at 10.30 O'Clock in the forenoon of that day , or as soon thereafter as Counsel can be heard , for the remission of the fine imposed upon said JOSEPH T.FERRIS and for his discharge from the Penitentiary of Blackwells Island and for such further and other relief as may be just and equitable .

Dated, New York January 29th, 1895 -

Yours respectfully ,

James H. Hamilton

Attorney for defendant JOSEPH T.FERRIS
Office and Post Office Address
No. 291 Broadway, New York City, New York-

To
Hon: John R.Fellows,

District Attorney for the County of New York -

0206

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, } ss.

Joseph T. Ferris being duly sworn, deposes and says that he was convicted of *Violation Election Law* at the court of *Just Sessions* Sessions of the Peace, and on the *1st* day of *March*, 18*94* was sentenced by *Sam. George C. Barrett* to confinement in the New York Penitentiary for the term of *One* year and *four* month and fined *Five* *Hundred* dollars, and in default of payment thereof to be held in custody for the further term of *Two Hundred* days or until the same be paid.

And he further deposes and says that he is credibly informed and verily believes that his Excellency the Governor of the said State did—upon the report of the Warden of the said Penitentiary, that he had complied with the requirements of the act passed February ~~20, 1875~~ ^{23, 1886} direct a deduction of *2* months from the term of his sentence, whereby the said term expired on the *14th* day of *January*, 18*95*

And he still further deposes and says that he is entirely without money, property or means of any kind, and that he is utterly unable to satisfy and pay the said fine of *Five Hundred* dollars, for the non-payment of which he has been since the *14th* day of *January* 18*95*, and is now held in custody at the Penitentiary aforesaid.

Sworn and subscribed before me this *19th* day of *January*, 18*95* *Joseph T. Ferris*

McEvane
Commissioner of Beech
City & Co of New York

I hereby certify that the facts set forth in the above written affidavit as to the date and term of sentence—as well as to the time of the expiration thereof—of the above affiant *Joseph T. Ferris* and the deduction from the term of said sentence directed by the Governor of the State of New York are true.

His conduct has been good
Louis W. Perry
Warden of the New York Penitentiary.
Blackwell's Island, New York City *January 19*, 18*95*

0207

Oyer & Termined
N. Y. Sessions of the Peace.

THE PEOPLE
Of the State of New York

vs.
Joseph T. Ferris

March 1 18*94*

PENITENTIARY.

One year
And to pay a fine of

Five Hundred & 00 Dollars.

And to stand committed until the same be paid,
or be imprisoned for *500* days.

AFFIDAVIT

OF
DEFENDANT

Of Inability to Pay Fine.
Sammy 3/9 18*95*

0208

N.Y. Over & Termors
The People
of the State of New York

vs.

Joseph J. Ferris

Printed

Notice of Motion
to re-mit fine and
affidavit of inability
to pay.

ANDREW S. HAMERSLEY, JR.

Attorney for

Defendant

291 BROADWAY,

NEW YORK CITY,

NEW YORK.

Due & timely
service of a
copy of within
notice, affidavit
and certificate
admitted, 1898
Jan 30 1898

J. P. [Signature]

TRUB & HEAD, ELECTROTYPE AND PRINTING, 107 NASSAU ST., N.Y.

[Signature]

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph T. Ferris

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

Indictment accuse

Joseph T. Ferris

of the crime of

knowingly returning an election when not qualified therefor.

committed as follows:

Heretofore, to wit:

on Tuesday the seventh day of November, in the year of our Lord one thousand eight hundred and ninety three, the same being the Tuesday preceding the first Monday in the said month of November there was held a general election throughout the State of New York, and in the said City and County of New York, and on the day and in the year aforesaid, and at the said election, the said Joseph T. Ferris, late of the City and County aforesaid, at the City and County aforesaid, did personally appear before the Inspectors of Election of the Forty-seventh Election District of the Fifteenth Assembly District

of the said City and County, at a
meeting of the said Jurors then
being duly held at the duly designated
meeting place of the said Election
District, and then and there solemnly
did knowingly vote in the said
Election District, for the said Joseph
T. Ferris not knowing then and there
qualified therefor, to vote. For the
said Joseph T. Ferris not knowing
then and there an inhabitant
of the said State for one year, and
for the last four months a resident
of the said County of New York, and
for the last thirty days next
preceding the said election a resident
of the said Election District, as for the
said Joseph T. Ferris then and
there well knew, 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

Delancey Hill,

District Attorney

0211

BOX:

543

FOLDER:

4940

DESCRIPTION:

Fiddis, Adam

DATE:

12/06/93



4940

0212

69

Witnesses:

.....
.....
.....
.....

COURT OF OYER AND TERMINER.

Counsel,

Filed, 6th day of Dec 1893

Pleads, *Wynntz*

THE PEOPLE

vs.

B

Adam Fiddis

*General Sessions
Dec 8 & 9th*

VIOLATION OF THE EXCISE LAW.
selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32.]

By LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. Croft Foreman.
Part III. Dec 20 1893

0213

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Adam Fiddis

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

Adam Fiddis

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

Adam Fiddis

late of the City of New York, in the County of New York aforesaid, on the *twentieth* day of *August* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to ~~one~~

and to certain ~~other~~ persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

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

Adam Fiddis

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Adam Fiddis

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

02 14

BOX:

543

FOLDER:

4940

DESCRIPTION:

Fitzgerald, James

DATE:

12/06/93



4940

Witnesses:

Officer Chas DeLaney
of the Precinct
John H. Werner

Counsel,

Filed

day of

1893

Pleads

THE PEOPLE

vs.

James Fitzgerald

27
365-735

Barclay in the Third Degree.
[Section 498, 506, 528, 532]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. Lockwood

Dec 6/93

Foreman.

[Signature]

Pen 2 months

0216

Police Court—2 District.

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

of No. 297 Bleeker Street, aged 34 years,
occupation Green

being duly sworn
deposes and says, that the premises No 297 Bleeker Street,

in the City and County aforesaid, the said being a four story brick dwelling

and which was occupied by deponent as a Green

~~and in which there was at the time a human being, by name~~
were BURGLARIOUSLY entered by means of forcibly forcing open
the side door leading from
narrow street into said apartment

on the 22 day of November 1889 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Four cigars of the value
of twenty cents.

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

James Fitzgerald. (nowhere)

for the reasons following, to wit: That about 9 o'clock
P.M. the previous evening deponent
securely locked and fastened
the said apartment. That said
property was then therein
deponent is informed by Officer
Charles Delaney that at about 10
o'clock A.M. he discovered the break
and entry as aforesaid and the

defendant in said apartment. Upon
upon searching the defendant, he found
some cigars in the defendant's possession
which defendant has since seen the
said cigars and fully identifies them
as his property.

It has further department charges the
defendant with unlawfully entering
the said premises, as aforesaid and
feloniously taking, stealing and carrying
away the said property and says
that he be held and dealt with as
the law directs.

Given to before me } J. F. Werner
this 22 day of Nov 1893 }

J. F. Werner
Police Justice

Police Court _____ District.

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

Dated _____ 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ _____ Bail.

Bailed by _____

No. _____ Street.

0218

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

James Fitzgerald 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. *James Fitzgerald*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *364 West 35 St. N. Y. 12 years*

Question. What is your business or profession?

Answer. *Stone cutter*

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

Answer. *I am not guilty*
William Vincent

Day of

Taken before me this

188

Police Justice

0219

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

Dated *Nov 2 29 1893* *[Signature]* Police Justice.

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

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

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

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

0220

1249

Police Court---2--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John F. Roman
vs *James Fitzgerald*
297 Bleecker
2
3
4
Officer *[Signature]*

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *Nov 23* 189*3*

[Signature] Magistrate.

[Signature] Officer.

..... Precinct.

Witnesses *Callahan*

No. Street.

No. Street.

No. Street.

\$ *1000* to answer



[Signatures]
[Signature]
[Signature]

0221

1877

CITY AND COUNTY }
OF NEW YORK, } ss.

August Delaney

aged *94* years, occupation *Police Officer* of No.

9th Avenue Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *John F. Vermer*

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

Sworn to before me, this *22* day of *Nov* 189*3*

Charles Delaney

Ed Ryan

Police Justice.

0222

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against
James Fitzgerald otherwise
called William Vincent

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

James Fitzgerald otherwise called William Vincent

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

The said *James Fitzgerald, otherwise*
called William Vincent

late of the *9th* Ward of the City of New York, in the County of New York, aforesaid, on the
twenty second day of *November* in the year of our Lord one
thousand eight hundred and ninety-*three* in the *night* time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of
one *John F. Werner*

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

John F. Werner in the said *store*

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

SECOND COUNT—

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

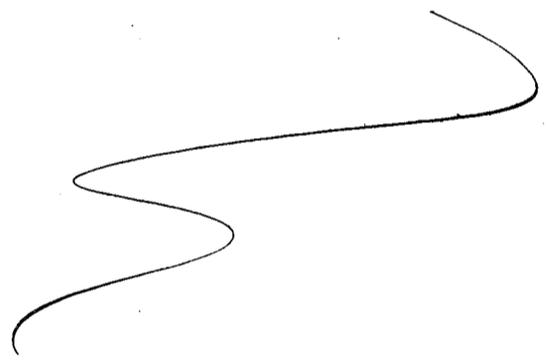
James Fitzgerald otherwise called William Vincent

of the CRIME OF *Petit* LARCENY committed as follows:

The said *James Fitzgerald otherwise called William Vincent, both*

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 said day, with force and arms,

four cigars of the value of five cents each



of the goods, chattels and personal property of one

John F. Werner

in the

store

of the said

John F. Werner

there situate, then and there being found, in the *store* 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.

*Dehaucy Nicoll
District Attorney*

0224

BOX:

543

FOLDER:

4940

DESCRIPTION:

Fitzpatrick, Thomas

DATE:

12/21/93



4940

0225

BOX:

543

FOLDER:

4940

DESCRIPTION:

Meade, Michael

DATE:

12/21/93



4940

Witnesses:

Officer Robt J Jennings
at Present

231 ~~Albert Smith~~
Counsel ~~Albert Smith~~
Filed 21 day of Dec 1893
Pleads, ~~Wynne~~

244 THE PEOPLE
736 y bare
736 y bare vs.

Thomas Fitzpatrick

21 and
220 Madison St
Plumber helper
Michael Meade

Burglary in the Third Degree.
[Section 498, Penal Code]

Even days

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Thos Harris

Part 2 - Jan 4 1894 Foreman.

Both tried and convicted
burg. 3rd degree with recon.
to prison

Jan 5/94 5.10 2 years each

0227

Police Court 3 District.

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

Thomas Shortliff

of No. 161 East Broadway Street, aged 40 years,

occupation Saloon Keeper being duly sworn

deposes and says, that the premises No 161 East Broadway Street,

in the City and County aforesaid, the said being a Four Story Brick

dwelling house, the ground floor

of which was occupied by deponent as a Liquor Store

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

were **BURGLARIOUSLY** entered by means of forcibly Open a side window of said premises by breaking the catch of said window

on the 13 day of Dec 1893 in the Night time, and the following property feloniously taken, stolen, and carried away, viz:

Two boxes of cigars of the value of Ten dollars \$10.00

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid **BURGLARY** was committed and the aforesaid property taken, stolen, and carried away by attempted to be

Thomas Fitzpatrick and Michael Mead both now here and acting in concert

for the reasons following, to wit: that deponent securely locked and fastened his premises, located at No. 161 East Broadway on the night of December 12th at 1 A.M. and deponent is informed by Officer Robert J. Jennings of the 4th precinct Police that he found said premises open at 3 A.M. of the same date and saw defendant in front of said premises and when

0228

Jennings approached the defendants
 they ran away, when defendants were
 arrested. Michael Mead to him Jennings,
 that he saw defendant Fitzpatrick
 in said premises he having the
 door of said premises opened
 and the Fitzpatrick invited him
 Mead to have a bottle of whiskey and
 a box of cigars, which said
 property did not belong to defendant
 Fitzpatrick, wherefore defendants pray
 that defendants be dealt with according
 to law.

Subscribed before me Thomas Shortell
 this 13th day of December
 1893

John R. Ryan
 Justice

Police Court District.

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

Degree
 Burglary

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0229

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

Robert J. Jennings
aged *29* years, occupation *Police Officer* of No. *4th Precinct Police*

Street being duly sworn, deposes and says, that he has heard read the foregoing affidavit of *Thomas Shortliff* and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this *13* day of *Dec* 189*3*; *Robert J. Jennings*

John H. Ryan Police Justice.

0230

3

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK.

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

Question. What is your name?

Answer. *Michael Meade*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *130 Madison St. 9 months*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty*

Michael Meade

Taken before me this

day of

1891

Police Justice.

0231

3

Sec. 193-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *Thomas Fitzpatrick*

Question. How old are you?

Answer. *24 Years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *No Home*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty*

Thomas Fitzpatrick

Taken before me this *13* day of *June* 189*3*

Police Justice

0232

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 100 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 Dec 13 1893 [Signature] Police Justice.

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

Dated _____ 189 _____ Police Justice.

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

Dated _____ 189 _____ Police Justice.

0233

2783 1341
Police Court--- District.

THE PEOPLE, &c.,
IN THE COMPLAINT OF

Thomas Shortliff
vs.
1 Thomas Shortliff
2 Michael Mead

Offence
Burglary

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

Dated Dec 3 1893
J. D. _____ Magistrate.
_____ Officer.
J. D. _____ Precinct.

Witnesses _____
No. _____ Street.

No. _____ Street.
DEC 18 1893
T. R. T. ATTORNEY

No. Back J. D. _____ Street.
1000 to answer

1000 Ex Dec 14 1893
C

COURT OF GENERAL SESSIONS OF THE PEACE,
City and County of New York,
Part 2.

""""""""""
The People
vs.
THOMAS FITZPATRICK
and
MICHAEL MEADE.
""""""""""

Before
HON. RUFUS B. COWING,
and a Jury.

Tried, January 4, 1894.

Indictment filed December 21, 1893.

Indicted for BURGLARY in the THIRD DEGREE.

APPEARANCES:

Assistant District Attorney George Gordon Battle,
For the People.

Mr. Mark Alter,

For the Defense.

2

THOMAS SHORTLIFFE, the complainant, being duly sworn, testified that he lived at 171 Henry street. He kept a saloon at 161 East Broadway. He left the saloon at one o'clock on the morning of the 13th of December, having secured all the doors and windows. He recognized the box of cigars shown to him by the District Attorney. When he left the saloon, on the morning in question, the box of cigars was behind the bar. About two or three o'clock, that same morning, he was summoned by Officer Jennings. He got up and went to the saloon. When he got there, he found three officers at the door. He found a catch broken off the window, and a door, that had been locked on the inside, was broken open. He then went to the station house, where he saw the defendants and the box of cigars. In the station house, the defendant Meade said that he knew him, the complainant; but he, the complainant, had never seen either of the defendants before. The window that was broken open was in the southwest corner of the store, about four feet from the side-walk.

In cross-examination, the complainant³ testified that he was positive there was no one in the saloon when he left; nor was there any persons around the door of the saloon. He was acquainted with Meade's father.

ROBERT J. JENNINGS, being duly sworn, testified that he was an officer of the Municipal Police force, attached to the Seventh Precinct. He was connected with that Precinct on the night in question. On that night, the complainant's premises were on his post. He first passed the complainant's premises at about twenty-five minutes after one. He then had an ambulance call; and, on his return, he tried the door of the complainant's saloon. He then went to Pike street. He was returning, on the front of a car, when he saw the defendant Meade coming out of the complainant's saloon, followed by Fitzpatrick, who had just closed the door after him. As the defendants saw him start to get off the car, they started to run away. He, the witness, saw that the window had been broken, and chased the defendants.

Meade started to go one way and Fitzpatrick the other, and he, the witness, drew his pistol and covered both of them. He got the assistance of another officer, and took the defendants back to the complainant's saloon. On the way to the station house, Meade told him that Fitzpatrick had asked him into the saloon to have a drink. Upon returning to the saloon, with the defendants, he, the witness, found two boxes of cigars outside of the bar. He found that the window was half way down from the top. He, the witness, first discovered the burglary about ten minutes to three. He subsequently examined the window, and found the catch broken off.

In cross-examination, the witness testified that Meade told him that he was on his way home from a pool-room in the Bowery. The next day, Meade said that he was returning from a ball. Fitzpatrick was not intoxicated at the time of the arrest, but he had "half-a-jag."

In re-direct examination, the witness testified that the premises in question were situa-

ted in the Seventh Ward of the City of New York. ⁵

FOR THE DEFENSE, MICHAEL MEADE, one of the defendants, being duly sworn, testified that he was 21 years of age. He remembered the night in question. On that night, he had been at the London theatre, where the Rentz-Santley Burlesque Troupe were performing. He, the defendant, was in the employ of his father, who was a plumber. He left the theatre about 11 o'clock. He was alone at that time. He then went to the Eastern Pool Room, where he played pool. After leaving the pool-room, he went to a restaurant and had something to eat. He then started for home, and, as he got to the corner of Rutgers street, he saw Fitzpatrick in the complainant's saloon. Fitzpatrick came out of the saloon and called him by name. He had never seen Fitzpatrick before. Fitzpatrick asked him if he had a brother named Joe, and he said, "Yes." Fitzpatrick then invited him in to have a drink and they went inside. Fitzpatrick knocked at the door, but nobody responded. He said to Fitzpatrick that there was no one in the

place, and that there was no use in staying there;⁶ that they would only be arrested; that Fitzpatrick was a stranger to him, and that he didn't want to see him, Fitzpatrick, get into trouble. They then went outside and stood there about five minutes. Fitzpatrick asked him where he lived, and he said he lived in Madison street. Fitzpatrick said that he wanted to take a car, and they walked as far as Pike and Henry streets, The officer lied when he said they ran. They did not go into the saloon with the intention of committing any crime therein.

In cross-examination, the defendant testified that it was about 12 o'clock when he left the restaurant. It was before 2 o'clock when he and Fitzpatrick went to the saloon. They went in the entrance on East Broadway. Fitzpatrick was under the influence of liquor, and was staggering. He, the defendant, said that it looked as though somebody had been in there, and that they had better not stay there. He did not run away.

THOMAS FITZPATRICK, one of the defendants, being duly sworn, testified that he was a gripman on the Broadway Railroad, and was working there on the day before the night in question. On the night in question, he and a friend of his went and had a Russian bath, at the corner of the Bowery and Broome street. He and his friend then went to Miner's Theatre. They were drinking quite heavily, but he "knew enough to get home." He remembered meeting Meade and inviting him to have a drink. The door of the saloon was open, and lights were burning in the saloon. There was nobody inside, and he walked out again. As he went out, he met Meade, and asked him about his brother. He then asked Meade to have a glass of beer, and he and Meade returned to the saloon. They went up to the bar. He remembered Meade telling him that they had better get out of there, as there was nobody in the place and that it looked kind of suspicious. They then went outside, and Meade bid him good-night. He started to go one way and Meade the other, and the officer called to them to stop. He, the witness, had never

been arrested before.

8

In cross-examination, the defendant testified that he had no idea as to what time it was when he got to the saloon. He did not know Meade before the night in question, but knew two of his brothers. He did not see the officer when he came out of the saloon. He and Meade did not run away when they saw the officer. He had been working on the Broadway Cable road about seven months; before that, he had been working on the Delancey street road. He never went under the name of McMahon.

(The jury returned a verdict of guilty, with a recommendation to the mercy of the Court)

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 Fitzpatrick
and
Michael Meade

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

Thomas Fitzpatrick and Michael Meade

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

The said

Thomas Fitzpatrick and
Michael Meade, both

late of the 7th Ward of the City of New York, in the County of New York aforesaid, on the
thirteenth day of December, in the year of our Lord one
thousand eight hundred and ninety-three, in the night-time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the store of
one

Thomas Shortliff

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

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

DeLancey Nicoll,
District Attorney

0243

BOX:

543

FOLDER:

4940

DESCRIPTION:

Fleischman, John

DATE:

12/12/93



4940

0244

BOX:

543

FOLDER:

4940

DESCRIPTION:

Whalen, William

DATE:

12/12/93



4940

0245

BOX:

543

FOLDER:

4940

DESCRIPTION:

McCarthy, Hugh

DATE:

12/12/93



4940

0246

No. 1. Dis. Cer. 3 mos. - RBM.

Witnesses:

William C. Rehan

Counsel,

Filed

Day of Dec

89

Pleas,

J.P. [Signature]
~~Guilty~~

THE PEOPLE

*20 for the
60 route*
John Fleischman

180 dinner
William Whalen

*24 71 Mangin
Blacksmith's helper*
Hugh McCarthy

Burglary in the 1st degree
Section 48, 30, 6, 5, 2, 1, 1/2

DE LANCEY NICOLL,

District Attorney.

Part 2 - Jan. 11, 1894

Part 3 tried and convicted of
Burglary in the 1st degree

S. P. 10 of 9 ans.
A TRUE BILL.

Thos Harris
Foreman.

Part 3, Dec. 14, 1893
No. 1 + 2. Plead - Burg 2^d deg

No. 1 - El. C. 5 yrs - RBM
" 2 - S. P. 5 yrs - RBM

Part 3, Jan. 8, 1894
2 " 10, 1894 RBM

0247

Police Court 3 District.

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

of No. 93-3rd Avenue Street, aged 40 years,
occupation Laundryman being duly sworn

deposes and says, that the premises No 93-3rd Avenue Street,
in the City and County aforesaid, the said being a five story building
the ground floor of
~~and~~ which was occupied by deponent as a laundry
and in which there was at the time a human being, by name Louis
Hou

were **BURGLARIOUSLY** entered by means of forcibly raising a
window at the rear of said
laundry, said window leading
into said laundry

on the 3 day of December 1893 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Good and lawful money
of the United States of the
amount and value of Seventy-
two ⁵⁰ two dollars 56
100

the property of Deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

John Heischman William Whelan and Hugh
Mc Carthy (all names here, who were acting in
conjunction

for the reasons following, to wit: at the hour of six o'clock
A.M. deponent who was sleeping
in the rear of his laundry at said
premises: the doors and windows
of which laundry were securely
locked and fastened, and he was
awakened and found the defendants
in said laundry, they having broken
open trunks and money drawers

0248

and defendant missed said money
 from one of the trunks. Defendant
 saw the defendants leave said
 laundry through a window at the
 rear of said laundry. Defendant is
 informed by Officer Louis Sabbe
 that he Sabbe chased the defendants
 over fences in yards at the rear
 of said premises and arrested
 them in the yard of 221-8-12th Street.
 He Sabbe found in the yard
 of said premises a burglar's jimmy
 and in the possession of the de-
 fendants. When he found a Sewer
 driver and a table saw. William C. Peden
 found when in the yard of 214 E-13th St. and Officer W. Schmidt
 found said & company in the cellar of 216 East 13th Street
 to refer me

This 4th day of November
 John Ryan 1895 雷德

Police Justice

Police Court _____ District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

vs.

Burglary

Dated _____ 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ _____ Bail.

Bailed by _____

No. _____ Street.

0249

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 30 years, occupation Police Officer of No.

14th Avenue Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of James M. Ryan

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

Sworn to before me, this 2 day of March 1921 } Lucas C. Sabun

John Ryan Police Justice.

0250

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 37 years, occupation Police Officer of No. 14th Avenue Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of James Hen

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

Sworn to before me, this 4 day
of December 1893

William Schmidt

John Ryan Police Justice.

0251

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 29 years, occupation Business of No. 230 E 13th Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of James Hon
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 4 day } Wm. C. Rehn
of December 1892

John Ryan Police Justice.

0252

Sec. 198-200.

1882

District Police Court.

City and County of New York, ss.

Hugh McCarthy 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. *Hugh McCarthy*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *71 Marquis Street, 5 months*

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*

Hugh McCarthy

Taken before me this

day of

1893

John Egan

Police Justice.

0253

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer. *William Wheeler*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *188 Chrystie Street - One month*

Question. What is your business or profession?

Answer. *Driver*

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

Answer. *I am not guilty*
William Wheeler

Taken before me this
day of *Dec* 1893

John A. ...

Police Justice.

0254

Sec. 198-200.

1882 District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer. *John Fleishman*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *Austria*

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

Answer. *60 Broadway Street, 2 Weeks*

Question. What is your business or profession?

Answer. *Waiter*

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

Answer. *I am not guilty*
John Fleishman

Taken before me this
day of *April* 1893

John R. Ryan

Police Justice.

0255

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

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

Dated Dec 4 1893 John Ryan Police Justice.

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

Dated _____ 189 _____ Police Justice.

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

Dated _____ 189 _____ Police Justice.

0256

Police Court--- 3 District. ¹³⁰

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Robert W. ...
1 *Hugh W. ...*
2 *William ...*
3 *John ...*
4

[Signature]

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *Dec 4* 189 ³

[Signature] Magistrate.

[Signature] Officer.

14 Precinct.

Witness *Officers Salm & Sch*

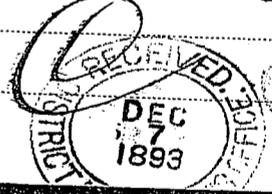
No. *144* Street.

Mr. R. Rehm

No. *230-E-13* Street.

No. _____ Street

\$ *1000* to answer *[Signature]*



COURT OF GENERAL SESSIONS OF THE PEACE,
CITY & COUNTY OF NEW YORK.

THE PEOPLE,)	BEFORE
)	
VS.)	HON. RUFUS B. COWING,
)	
HUGH MCCARTHY,)	AND A JURY.
(Jointly indicted with))	
(John Fleischman,))	
and)	
(William Whalen.))	

TRIED, NEW YORK, JANUARY 10TH, 1894.

INDICTED FOR BURGLARY IN THE FIRST DEGREE.

INDICTMENT FILED DECEMBER 12TH, 1893.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY JAMES W. OSBORNE,

FOR THE PEOPLE.

JACOB BERLINGER ESQ.,

FOR THE DEFENSE.

////////////////////

LOUIS WON, testified through Wong Ing, acting Interpreter, that he lived at No. 93 Third Avenue, in the City of New York. He keeps a laundry, on the first floor at that address. On December 3rd, 1893, he, the complainant, had \$75.00 and his clothing in the store already referred to. On the night of December 3rd 1893, he, the complainant, locked the door of his store and went to sleep in the back of his laundry. He, the complainant, went to sleep between 5 ~~and~~ 6 o'clock that night, and, in a few minutes, he, the complainant, was awakened by a noise, and, looking around, he saw three men in his store, examining the clothing and everything in search for money. He, the complainant, fully identified all three of the defendants. As soon as he, the complainant saw the three defendants in his room, he, the complainant, quietly but quickly slipped out by the rear of his laundry, and, with the housekeeper, went in search of an officer. He found an officer and, returning with

*The officer, they found the defendants still in his, the complainant's, store. As soon as they saw the officer going into the front door, they ran to the back part of the premises, raised the window, and got out into the yard at the back of the store, and the officers ran after them. He, the complainant, missed \$72.00, but nothing besides that, the money. He, the complainant, saw the defendants jump out of the window and run. He, the complainant, examined the premises, after the defendants escaped, and found that they had entered by a window which was raised, but which he, the complainant, closed on going to bed that night.

In

CROSS-EXAMINATION

the complainant testified that he occupied six rooms and, he slept in the last room, and the three defendants entered the store, in the front room.

LOUIS E. SAHN, testified that he is a member of the Municipal Police, and, on the night in question, at about six o'clock there was a ^{crowd} ~~accor~~ crowd standing

in front of the complainant's laundry, and the complainant came out and said that there were loafers in his place, and he, the witness, went through the store, and saw two trunks and the money-draw~~er~~ broken open, and he, the witness, went back in the place, to see if anybody got out that way, but the defendants got over the fence. Then he, the witness, went around in 13th Street, and got over the fence after them, and Whalen was caught in 216 East 13th Street. A knife and .56 were found on Whalen. In the station-house, in the presence of Mc Carthy, he, the witness, asked whether or not McCarthy was with him, the defendant, and he said he was, and McCarthy said that he was not, and that he did not know him, and Whalen said if he, the witness, went into the yard, he would find the chisel, which belonged to McCarthy. He, the witness, found the chisel where Whalen said it was. He, the witness, arrested McCarthy in the yard of No. 221 East 12th Street, two yards below the complainant's yard. McCarthy said that the chisel did not belong to him.

He, the witness, found the other instrument, shown in court, at the bottom of the fence, where the defendants crossed the fence, outside of the laundry window. He, the witness, found Whalen standing up close to the fence, in the yard of No. 221 East 12th Street, and he, the witness, asked him what he was doing there, and he said he was going to the watercloset. It was dark and rainy. He, the witness, then had the people in the house, No. 221 East 12th Street, go into the yard and look at Whalen, and he, the witness, asked the people if they let Whalen in, and they said that they did not let him in, and that they did not know him.

LOIUS WON, the complainant, being recalled by defendant's counsel, for further cross-examination, testified that he had two lights in his place on the night of the alleged burglary, one light being in the laundry, on the front of the store, where the defendants were, the other light being in the room where he, the complainant, was drying clothes. He was drying in the middle room. He, the complainant,

looked carefully at the defendant, in his laundry, and, therefor, can now swear positively as to his identity.

THE DEFENSE.

HUGH MCCARTHY, one of the defendants, testified that he lived at No. 71 Mangin Street, at the time of his arrest. He, the defendant, admitted that he was in the yard where the officer arrested him, and, he, the defendant, had nothing to do with the burglary of the laundry and was not in there at all, and did not know Whalen and Fleischman the co-defendants. He, the defendant, happened to be on 12th Street, that night, because he was visiting a lady, a friend of his. She was not in court. In answer to the question, "Well, how did you come to be in the yard?" the defendant said, "Well, I was upstairs, in the back parlor, with this lady friend of mine, and the lady of the house was

7
coming, and I walked downstairs, and went into the yard." He, the defendant, knew nothing at all, about the burglary.

In

CROSS-EXAMINATION

the witness testified that Whalen said he was not with him, and, he did not say that he, the witness, had a jimmy or anything. He, the witness, did not hear Whalen say anything in the station-house, except that he said that the, the witness, was not with him, at all. He, the witness, lived at 71 Mangin Street with a woman by the name "Mrs. Peters". He lived there about five or six months before that he lived at 450 West 58th Street, for a year and a half, with his aunt. He also worked at Roache's Foundry, at the foot of East 9th Street, about six weeks, the foreman's name being Quinn. He, the witness, did ask Quinn to come to court. Before that, he worked for the Continental Yard, in Greenpoint, as a blacksmith's helper, McDermott being the foreman. McDermott was not in court. The name

0264

8

of the woman that he called to see, on the night of the burglary, is "Miss Lucy Mackey, but he did not know the part of the house in which he and Miss Lucy Mackey were in that night. He was in the back parlor with her. In answer to the question, "How did the landlady happen to come in"? he testified, "She came from downstairs, I guess, or upstairs, at least, I mean to say. She didn't see me, and I walked down and i walked out, before she got in because I heard her coming. He, the witness, after he "walked out" stood in the back of the yard, as he wanted to conceal himself from the landlady, but he was not leaning up against the fence. To the question, "You told the officer that you went out on a call of nature?" The defendant said, "No, sir; I didn't. The officer asked me what I was doing there, and I didn't answer him, and he said, 'What are you doing here?' and I didn't answer him, and then he searched me, and he picked up two pawn tickets that was on the ground, and he asked me didn't they belong to me, and I said 'No, sir', I couldn't tell

whether they were pawn tickets---he stooped and picked up something---I don't know whether they were pawn tickets or not---and then he took me to the Chinese laundry, and he asked me did the pawn tickets belong to me, and I said, 'No, sir.' I didn't know how they got there." He, the defendant, had known Lucy Mckey about three years, but did not know the number on 12th street, where she lived, and did not know the name of the house-keeper or of the landlady, or of anyone, at that house although he had visited Lucy Mckey there for three years, and he, the defendant, was arrested in the yard of the house in which Lucy Mckey had been living for three years; it is a private house, and Lucy is a servant-girl in that house, and has been such for three years. He, the defendant did not know the name of the cook, although he had been visiting there for three years, or the name of the owner of the house, or the tenant of the house. He, the defendant, got in the house through the front door, Afterwards the defendant testified that he came in through

the basement door, and went upstairs and into the back parlor. When he, the defendant, heard the landlady coming downstairs, he walked down into the basement and out of the back door. He had never been convicted.

In

RE-DIRECT-EXAMINATION

the defendant testified that he ate supper with the cook at that house on that night. Lucy let him in the front door. He did not have a key to the house.

REBUTTAL.

LOUIS E. SAHN, being recalled by Mr. Osborne, testified that when he arrested the defendant, in the yard, he searched him, and did not find anything on his person, but there were two pawntickets lying on

along side of him, in the yard,, and the defend-
ant said that they did not belong to him.

In

CROSS-EXAMINATION

the witness testified that he did not know who
owned the pawntickets. The complainant's place
was about eight houses away from the house in the
yard of which he, the witness, arrested the defend-
ant. He, the witness, went over one fence after
another, until he found the defendant in the eight
yard--the yard in question. People, looking out
of the windows of the neighboring houses, said, "There
they are," pointing to the defendant as he stood
concealed in the yard already referred to. He,
the witness, caught the defendant, and a servant
girl came out with a lamp and, he, the witness ask-
ed the landlady, and several others, whether they
knew the defendant and they said no. The land-
lady said she did not know how he got in the yard.
The witness testified, "I went over the fences
in the direction that the people, looking out of
the windows, told me the defendants had gone.

McCarthy was the second one that I caught. I could see the shadows of people going over the fences. He, the witness, did not know the defendant was McCarthy until he caught him and, in station-house, he gave the name of McCarthy.

MAGGIE TORN, being called by Mr. Osborne, testified that she lived in New York City, and remembered the night when the defendant was arrested, and had never, before that night, seen him. She, the witness, did not have in her employ a girl by the name of "Lucy Mackey," and never, at any time, had any such person in her employment. The defendant was arrested in her, the witness's, back yard. The rooms on the first floor of her, the witness's house, open on the right hand side into the hall. She, the witness, did not employ any servant girl, but the dentist, who occupies the first floor, keeps a girl, but her name is not Lucy Mackey. She, the witness, saw the defendant

standing close to the fence, in the yard, that night. Three families occupy the house, and there is one servant girl, but her name is not "Lucy Mackey"

(The Jury find the defendant Guilty of Burglary in the First Degree.)

////////////////////

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against John Fleischman, William Whalen and Hugh McCarthy

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

John Fleischman, William Whalen and Hugh McCarthy of the CRIME OF BURGLARY in the first degree, committed as follows:

The said John Fleischman, William Whalen and Hugh McCarthy, all late of the 17th Ward of the City of New York, in the County of New York aforesaid, on the third day of December, in the year of our Lord one thousand eight hundred and ninety-three in the night-time of the same day, at the Ward, City and County aforesaid, the dwelling house of one Louis Won

there situate, feloniously and burglariously did break into and enter, there being then and there a human being within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said Louis Won

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

the said John Fleischman, William Whalen and Hugh McCarthy and each of them, being then and there assisted by a confederate actually present, to wit: each by the other;

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

DeLooney
District Attorney

0271

BOX:

543

FOLDER:

4940

DESCRIPTION:

Flynn, Bernard

DATE:

12/22/93



4940

0272

300-

Witnesses:

.....
.....
.....
.....

COURT OF OYER AND TERMINER.

Counsel,

Filed, 22 day of Dec 1893

Pleads,

THE PEOPLE

vs.

B
Bernard Flynn

VIOLATION OF THE EXCISE LAW.
Unlawful Hours.
[Chap. 401, Laws of 1892, § 32.]

Amend Sessions
Dec 22 1893

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman.
D. J. Cross
Dated Jan 12 1894

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Bernard Flynn

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

Bernard Flynn
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, BETWEEN ONE O'CLOCK AND FIVE O'CLOCK IN THE MORNING, committed as follows:

The said

Bernard Flynn

late of the City of New York, in the County of New York aforesaid, on the day of *December* ¹⁴ in the year of our Lord one thousand eight hundred and ninety-three (the same not being Sunday), between one o'clock and five o'clock in the morning of the said day, at the City and County aforesaid, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to ~~one~~

~~and to~~ certain other persons whose names are to the Grand Jury aforesaid unknown, without having a special license therefor as required by law, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.—

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

Bernard Flynn

of the CRIME OF OFFERING AND EXPOSING FOR SALE STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, BETWEEN ONE O'CLOCK AND FIVE O'CLOCK IN THE MORNING, committed as follows:

The said

Bernard Flynn

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid (the same not being Sunday), between one o'clock and five o'clock in the morning of the said day, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, without having a special license therefor as required by law, 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.

Michael Keefe

DE LANCEY NICOLL,

District Attorney.

0274

BOX:

543

FOLDER:

4940

DESCRIPTION:

Foley, Thomas

DATE:

12/15/93



4940

Witnesses:

Officer John W. Murphy
Brooklyn Bridge
George Straub

Sued for
Complaint

First Conviction

James Kelly
House agent this
Case

Patrick Henley
Factor of Dept
Department James
Henley

185
Kinder
Counsel,
Filed 13 day of Dec 1893
Pleads, Guilty

20 THE PEOPLE
427 2nd
pols vs.

Thomas Foley
Part 2 - Dec 21, 1893
Pleads Guilty

Grand Larceny, second Degree,
From the Person.
[Sections 528, 537, Penal Code.]

January 7/94

DE LANCEY NICOLL,
District Attorney.

Al. Kelly

A TRUE BILL.

B. Loewood

Foreman.

0276

Police Court District Affidavit—Larceny.

City and County of New York ss.:

George Straub of No. 35 Jefferson Avenue Street, aged 35 years, occupation Jeweler being duly sworn,

deposes and says, that on the 13th day of December 1893 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of the deponent, in the day time, the following property, viz:

One Hamman's Stud
Being of the value of
Fifty Dollars

the property of

Deponent

Sworn to before me, this 13th day of December 1893

Police Officer

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

Thomas Foley (now dead) for the reasons hereinafter set out. That on the morning of said day deponent was in a Brooklyn Bridge car and had said stud in his pocket which he had on and deponent felt somebody pulling at said scarf and saw deponent turning his head from said scarf and found said stud half way out of said scarf, and accused deponent to be arrested and charged him with the larceny of said

George Straub

0277

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Thomas Foley

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

United States

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

Answer.

437 2d Avenue 2 years

Question. What is your business or profession?

Answer.

Postee

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

Answer.

*I am not guilty
Thomas Foley*

Taken before me this

13
day of *December* 1939

Police Justice.

0278

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 Two 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 Dec 13 1893..... Police Justice.

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

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

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

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

0279

43
Police Court--- District 1330

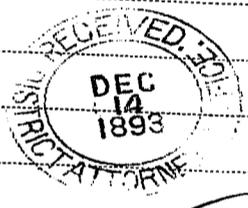
THE PEOPLE, &c.,
ON THE COMPLAINT OF

George A. Murphy
1133 Jefferson Ave
Brooklyn
Thomas Foley
2
3
4
George A. Murphy
Thomas Foley

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

Dated *Dec 3* 189
George A. Murphy Magistrate.
Thomas Foley Officer.
Thomas Foley Recd.

Witnesses
No. Street.
No. Street.
No. Street.
\$ *1000* to answer



Committed

District Attorneys Office.
City & County of
New York. 18
To the Honorable Recorder.

Thomas Foly charged with
Grand larceny, refused
to say anything about
himself, but admitted that
Foly was not his right
name, he said that he would
testify his father and he
will see Recorder Smyth
personally, he also said
that he had worked in a
hardware store but re-

Very Resp
Jacob Van Gichten

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 Foley

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

Thomas Foley
attempting to commit of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:
The said *Thomas Foley*

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

*one diamond stud
of the value of fifty dollars*

of the goods, chattels and personal property of one *George Straub*
on the person of the said *George Straub*
then and there being found, from the person of the said *George Straub*
then and there feloniously *attempt to* did steal, take and carry away, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

De laucey Nicoll
District Attorney.

0282

BOX:

543

FOLDER:

4940

DESCRIPTION:

Foley, William

DATE:

12/08/93



4940

Lefts true name is *Arce.*
from Phila. 1 mo.
picture in gallery. *PSM*
charge pending for stealing silk
\$160. worth. Has been in *Ref.*

Witnesses:

Robert Howell

63

Counsel,

Filed

day of

1893

Plead

Guilty

THE PEOPLE

vs.

*20
361 5-3
painter*

William Foley

Grand Larceny, Second Degree.
[Sections 528, 537 Penn' Code.]

DE LANCEY NICOLL,

District Attorney.

Part 3 Dec. 11. 1893

Pleads Guilty G. L. 2^d deg

A TRUE BILL.

*S. P. 3 yrs & 6 mo
Dec 17/93 PSM*

B. Lockwood

Foreman.

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 Foley

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

William Foley

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

The said *William Foley*

late of the City of New York, in the County of New York aforesaid, on the *16th* day of *November*, in the year of our Lord, one thousand eight hundred and ninety-*three*, at the City and County aforesaid, with force and arms,

three pieces of silk of the value of fifty dollars each piece

of the goods, chattels and personal property of one *Selig Maass*

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.

Dehauncey Nicoll,
District Attorney

0285

146

Witnesses:

Solomon Baronow

Counsel,

Filed 15 day of Dec 1893.

Pleads,

Guilty

THE PEOPLE

vs.

William Foley

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

DE LANCEY NICOLL,

District Attorney.

Sentenced on and indict.

A TRUE BILL.

B. Lockwood

Foreman.

0286

Police Court _____ District.

Affidavit—Larceny.

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

Saul Boronow
of No. *477 Broome St. Maass St.* Street, aged *34* years,
occupation *Stock Clerk* being duly sworn,
deposes and says, that on the *16th* day of *November* 189*8* at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the pos-
session of the deponent, in the *day* time, the following property, viz:

*Three pieces of silk together of
the value of One hundred
and sixty dollars*

the property of *S. Maass Company* in
deponent's charge.

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 Foley* now here,
from the fact, that on said
date said property was contained
in deponent's premises on the
second floor of *477 Broome St.*
That the defendant entered said
premises without any bundles
in his possession, that shortly
thereafter deponent saw the defendant
hurriedly leaving said premises
with the bundles in his possession
that deponent gave chase but
the defendant escaped that deponent
then returned to his premises where
he missed said property from where
it had previously been placed

Saul Boronow

Subscribed and sworn to before me, this _____ day of _____ 1898, at _____
[Signature]
City Police Justice.

0287

(1885)

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK. } ss.

William Foley

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

Question. What is your name?

Answer. *William Foley*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *301 East 3rd street. 2 months*

Question. What is your business or profession?

Answer. *Painter*

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

Answer. *I am not guilty William Foley*

Taken before me this 29th day of *July* 1893
William J. Justice
Police Justice.

0288

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

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0289

336

1259

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Salo Boronow
477 Broadway St.
William Foley

Offense *Lawrence*

2
3
4

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *November 23* 189 *0*

Martin Magistrate.

Shaw Officer.

5 Precinct.

Witnesses *Leo Hess*

No. *477 Broome* Street.

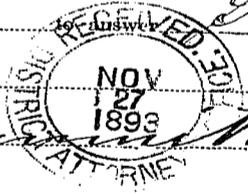
Max Brown

No. *477 Broome* Street.

Levin Rosenbaum

No. *477 Broome* Street.

G.O.



Conrad Med

Police Court / District.

Affidavit—Larceny.

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

of No. 27 Walker Street, aged 33 years,
occupation manufacturer
deposes and says, that on the 21 day of November 1893 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of the deponent, in the day time, the following property, viz:

Moritz J. Rainsky

Thirty six pair of pants of the value of thirty dollars.

the property of Rainsky Bros. of which firm deponent is a member

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 Foley (now here) for the reason that on said date defendant was in deponent's premises aforesaid. The aforesaid property was also in said premises. After defendant had left said premises deponent missed the said property. Deponent is informed by Robert Franell that he saw the defendant in said premises with a bundle carrying the same away. The said Franell caught defendant and held him until the arrival of the Officer. Deponent has seen said bundle found in defendant's possession and identifies it as the property stolen from him. Wherefore he charges the defendant with grand larceny.

Moritz Rainsky

Subscribed before me this 21 day of November 1893
Police Justice.

0291

1921

CITY AND COUNTY }
OF NEW YORK, } ss.

Robert Farrell

aged 24 years, occupation Clevator Runner of No.

1601 Lexington Avenue Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Morty J. Rabinovitch

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

Sworn to before me, this 22 day } Robert Farrell
of N.Y. 189 3 }

[Signature] Police Justice.

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer. *William Foley*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *301 E 9th Street 2 months*

Question. What is your business or profession?

Answer. *Painter*

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

Answer. *I am not guilty*

William Foley

Taken before me this *29th*
day of *April* 19*18*.
James M. Smith

Police Justice.

0293

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

John J. [Signature]

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 200 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Nov 22 1893 [Signature] Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0294

333

1837

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Morty J. Rammato
Magistrate
Stephen Cole

2 _____
3 _____
4 _____

Offense
St. 100

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated, *Nov 23* 1899

Martin Magistrate.

Gessinghty Officer.

5 Precinct.

Witnesses *Robert K. Altman*

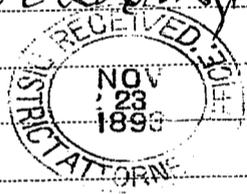
No. *1601 Lexington Ave* Street.

No. _____ Street.

No. _____ Street.

\$ *1000* to answer *GA*

committed



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 Foley

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

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

The said William Foley

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

thirty-six pairs of trousers of the value of one dollar each pair

of the goods, chattels and personal property of one

Moritz J. Rosinsky

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.

SECOND COUNT—

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

William Foley

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

The said *William Foley*

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,

*thirty-six pairs of trousers
of the value of one dollar
each pair*

of the goods, chattels and personal property of one

Moritz J. Rosinsky

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

Moritz J. Rosinsky

unlawfully and unjustly did feloniously receive and have, the said

William Foley

then and there well known 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.

DE LANCEY NICOLL,

District Attorney.

0297

BOX:

543

FOLDER:

4940

DESCRIPTION:

Foster, Bridget

DATE:

12/12/93



4940

108

Witnesses:

Hattie Johnson
John B. Stephens
20th Precinct

Counsel,

Filed 12th day of Dec 1893

Pleas, Voluntary

THE PEOPLE

vs.

Bridget Foster

Dec 14/93
Discharged on her

own recognizance

DE LANCEY NICOLL,

District Attorney.

Grand Juror, First Degree
From the Person.
[Sections 528, 530, 531 Penal Code.]

I cannot find sufficient
evidence in this case
to justify putting
the defendant to trial
I must therefore recommend
her discharge upon
her own recognizance.

Wm. J. [unclear]
asst. dist. atty.

Dec. 14th 1893

A TRUE BILL.

Thos. Harris

Foreman.

0299

Police Court 2 District. Affidavit—Larceny.

City and County }
of New York, } ss:

Hattie Lehman
of No. 552 West 47th Street, aged 38 years,
occupation Grocer, being duly sworn,
deposes and says, that on the 2 day of December 1899 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the night time, the following property, viz:

One dollar and five cents
\$1.05

the property of Deponent

and that this deponent
was a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by Bridget Foster

(now Lee) Deponent had the said
money in a pocket of her apron
then worn by her. Deponent was
near deponent when the said
money was missed, and deponent
noticed the deponent secreting
something in a basket. Deponent
caused the immediate arrest of the
deponent and the missing money
was found in the ~~fact~~ basket
belonging to deponent, and no one
but deponent could have
stolen said money.

Hedwig Lehmann

Sworn to before me, this 2 day

of December 1899

Frank W. King
Police Justice.

0300

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Bridget Porter

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.

Bridget Porter

Question. How old are you?

Answer.

50 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

30 Cherry St - 8 years

Question. What is your business or profession?

Answer.

Housework

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

Bridget Porter
sub

Taken before me this

day of *Sept* 1933

Frank D. Kelly

Police Justice.

0301

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.....

Bridget Foster

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 *Nov 2* 18*93* *Paul Kelly* 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.

0302

1288

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Halter Lehman
352 W 47th St.
Budget Porter

Lawey
Offence
J. S.

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

Dated Dec 2 1889
Koch Magistrate.
Halter Lehman Officer.
W Precinct.

Witnesses
No. Halter Lehman Street.
No. Street.
No. Street.



No. Street.
\$ 1000 to answer
C. M. G. S.
Halter Lehman

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Bridget Foster

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

Bridget Foster

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

The said *Bridget Foster*

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

the sum of one dollar and five cents in money, lawful money of the United States of America, and of the value of one dollar and five cents

of the goods, chattels and personal property of one *Walter Hedwig Lehmann* on the person of the said *Hedwig Lehmann* then and there being found, from the person of the said *Hedwig Lehmann* 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.

He

SECOND COUNT—

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

Bridget Foster

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

The said *Bridget Foster*

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,

the sum of one dollar and five cents in money, lawful money of the United States of America, and of the value of one dollar and five cents

of the goods, chattels and personal property of one

Hedwig Lehmann

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

Hedwig Lehmann

unlawfully and unjustly did feloniously receive and have ; the said

Bridget Foster

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.

DE LANCEY NICOLL,

District Attorney.

0305

BOX:

543

FOLDER:

4940

DESCRIPTION:

Foster, George F

DATE:

12/06/93



4940

37

Witnesses:

.....
.....
.....
.....
.....

COURT OF OYER AND TERMINER.

Counsel,

Filed,

6th day of Dec 1893

Pleads,

THE PEOPLE

vs.

B

George F. Foster.

Transferred to the Court of Sessions for trial and final disposition
part of Dec 1893

Original
General Session

VIOLATION OF THE EXCISE LAW.
Licensing, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32.]

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. S. Cross Foreman.

0307

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

George F. Foster

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

George F. Foster
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *George F. Foster*

late of the City of New York, in the County of New York aforesaid, on the *thirteenth* day of *August* in the year of our Lord one thousand eight hundred and ninety *three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

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

George F. Foster
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *George F. Foster*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

Thomas F. Connor
and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0308

BOX:

543

FOLDER:

4940

DESCRIPTION:

Fragstein, Frank

DATE:

12/15/93



4940

0309

Witnesses:

Charles Mahner

171
Kane
Counsel,

Filed, 15th day of Dec 1893

Pleads, *[Signature]*

THE PEOPLE

vs.

Frank Fragstein

INJURY TO PROPERTY.

[Section 654, Penal Code.]

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

[Signature]

Dec 17 1893 Foreman.

[Signature]

Pen 3 months

I think in this case
the plea to a
Misdemeanor must
be sufficient.

Robert J. ...

Dec. 18th 93

[Signature]

0310

Police Court, 3 District.

1901

City and County of New York, ss. Charles Wachner
of No. 70 Second Avenue aged 41 years,
occupation Restaurant Keeper being duly sworn, deposes and says,
that on the 6 day of December 1893, at the City of New
York, in the County of New York,

Frank Fragstein (now here) did wilfully
and maliciously break and destroy a
plate-glass window in the premises
N^o 70 Second Avenue, the property
of deponent and of the value of fifty
Dollars (\$50⁰⁰/₁₀₀) by throwing thereat
a piece of ice. Wherefore deponent
prays that defendant may be dealt
with according to law

Sworn to before me this 7th day of December 1893 } Charles Wachner
John Ryan
Police Justice

0311

Sec. 198-200.

3

District Police Court.

1882

City and County of New York, ss:

Frank Fragstein 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. *Frank Fragstein*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *No home*

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 -*

Frank Fragstein

Taken before me this
day of *Dec* 1895
John R. ...
Police Justice.

03 12

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 100 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 December 7 1893 [Signature] Police Justice.

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

Dated _____ 189 _____ Police Justice.

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

Dated _____ 189 _____ Police Justice.

0313

Police Court--- ³ District. ¹³¹³

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Wickner
70 Second Ave.
Frank Fragstein

William Muehler
Officer

2
3
4

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

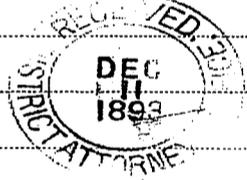
No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *Dec 7* 189 ³

Reyn Magistrate.
Becker Officer.
14 Precinct.

Witnesses _____
No. _____ Street.



No. _____ Street.

No. *1000* to answer *G.S.* Street.

[Signature]
Fry

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Frank Fragstein

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

Frank Fragstein
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* PERSONAL PROPERTY OF ANOTHER,
committed as follows:

The said *Frank Fragstein*

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

one pane of plate glass

of the value of *fifty dollars*
of the goods, chattels and personal property of one *Charles Wabler*
then and there being, then and there feloniously did unlawfully and wilfully *break*

and destroy:

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

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment further accuse the said
Frank Fragstein
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* REAL PROPERTY OF ANOTHER,
committed as follows :

The said *Frank Fragstein*

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

one pane of plate glass

of the value of *fifty dollars*
in, and forming part and parcel of the realty of a certain building of one *Charles*
Wahler there situate, of the real property of the said
Charles Wahler
then and there feloniously did unlawfully and wilfully *break and*

destroy ;

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

DE LANCEY NICOLL,
District Attorney.

03 16

BOX:

543

FOLDER:

4940

DESCRIPTION:

Frawley, Patrick

DATE:

12/07/93



4940

Witnesses:

Joseph Pietro Pinto

Counsel,

Wm Emory

Filed

7 day of Dec 1893

Pleads,

Not guilty

THE PEOPLE

27
John K. Y. vs.
iron knoller

Patrick Frawley

Part 2 Dec. 14. 1893.
Jury and Council.

Grand Larceny, second Degree.
From the Person.
[Sections 528, 534, Penal Code.]

DR LANCEY NICOLL, 22
District Attorney.

24/12/93 J.P. M
Dec. 24/93
A TRUE BILL.

B. Lockwood

Foreman.

Subpoena offered
to comply for
22
Phil Ruddy

0318

Police Court / District.

Affidavit-Larceny.

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

of No. 110 Mulberry Street, aged 53 years,
occupation Best Black being duly sworn,

Joseph Petro Pinto

deposes and says, that on the 22 day of November 1893 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of the deponent, in the day time, the following property, viz:

One silver watch and chain of the value of six dollars

the property of deponent

and that this deponent attempted to be has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Patrick Fralovey (now here) for the reason that on said date deponent had the said watch in the pocket of his vest then on his person attached to the said chain. Deponent felt a tug at said chain and saw defendants hand upon said chain. Wherefore deponent charges defendant with attempted larceny from the person.

Joseph Petro ^{his} Pinto
mark

Subscribed before me, this 22 day of November 1893
Police Justice.

0319

(1885)

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK.

Patrick Krawley

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

Question. What is your name?

Answer.

Patrick Krawley

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

Tray New York - 22 years

Question. What is your business or profession?

Answer.

Moulder

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

Patrick Krawley

Taken before me this

day of

189

Police Justice.

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

Defendant
.....
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *250* 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, 189 *Samuel M. Waters* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

032

275

1237

Police Court--- 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Petros Pinto
22. 110 Mulberry
Patrick Frawley

Offense *Attorney General*
sum to prison

2
3
4

Dated, *Nov 22* 1893

Martin Bennett Magistrate. Officer.

6 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.
to answer *G. S.*



Committed

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0322

Hon. Frederick Smyth,

Recorder.

Sir:-

In the case of Patrick Frawley, tried and convicted before you on December 14th 1893, I have the honor to report as follows:

This defendant is a new comer in this city; he has been here only a short time from Troy New York. While here, he is said to have been employed as a book agent for his brother with whom I am personally acquainted. The brother states that the defendant has never been in trouble before.

Respectfully submitted

Philip Rully

COURT OF GENERAL SESSIONS OF THE PEACE,
CITY & COUNTY OF NEW YORK.

.....
 THE PEOPLE,)
) BEFORE
 VS.)
) HON. FREDERICK SMYTH,
)
 PATRICK FRAWLEY.) AND A JURY.
)

TRIED, DECEMBER 13TH, 1893.

.....

INDICTED FOR ATTEMPT AT GRAND LARCENY IN THE SECOND DEGREE.
INDICTMENT FILED DECEMBER 7TH, 1893.

.....

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY THOMAS J. BRADLEY,
FOR THE PEOPLE.

MR. WALDHEIMER and W.E. MORRIS,
FOR THE DEFENSE.

////////////////////

0324

2

I
D

GUISSEPPE PIETRO PINTO, testified that he lived at 110 Mulberry Street, in the City of New York. He is a boot-black. On November 22nd, of this year, he, the witness, saw the defendant on Park Row, between Chatham and Pearl Street. He, the witness, was going from Mulberry Street past Baxter Street, and was on his way to Brooklyn, going from Pearl into Chatham, when he met the defendant. It was a quarter to 7 in the morning. There was another man with the defendant. He, the witness, had a watch in his left vest pocket. The defendant attempted to steal the watch, by pulling it out of his pocket, but the chain broke, and the watch remained in the pocket. He, the witness, fully identified the defendant as the man who tried to pull the watch out of his, the witness's, pocket. The other man caught hold of the witness's arm. After attempting to steal the watch, the defendant ran away, and the witness followed him, calling for help, and an officer arrested the defendant. The watch and chain were worth

0325

six dollars.

In

CROSS-EXAMINATION

He, the witness, did not remember having seen the defendant before the day in question. He, the witness, was going on the West side of Park Row, about a block and a half from the Bridge, when he met the defendant, who, "all at once, jumped "at him, the witness. One arm caught the witness by the arm, and the other (the defendant) grabbed the watch chain. After the defendant ran away, he, the witness, lost sight of him, but at once recognized him, when the officer arrested him. The other man escaped in the crowd.

OFFICER MARTIN BENNETT, testified that he is a police officer, connected with the 6th Precinct, in this City. He, the witness, arrested the defendant on the 22nd of November. It was a quarter to 7 when he, the witness, got to the station-house. He, the witness,

I

arrested the defendant in the liquor store at 134 Park Row. He first saw the defendant walking, quite briskly, down Park Row, with his hands in his pockets. There were a number of people, on Park Row, hollering, but he the witness, did not understand them, because they spoke Italian. He, the witness, left the complainant, standing on the corner of Pearl Street, after somebody pointed out to him, the witness, the defendant, and he ran after the defendant and arrested him, and brought him out of the liquor store to the complainant. The defendant was under the influence of liquor, and spoke in a rambling way, so that the witness could not understand or remember what he said. He, the witness, first saw the complainant when he came and showed him, the witness, the watch and broken chain, at the corner of Pearl and Park Row. He, the witness, first saw the defendant when a citizen pointed him, the defendant, out to him, the officer. The defendant was then going down Park Row, and he went into the liquor store, and the defendant went in and arrested him and brought him out to the complainant, who had followed and was

0

standing outside.

In

CROSS-EXAMINATION

the witness testified that he did not remember whether the defendant, at the time of the arrest, said that he did not know the complainant and did not attempt to steal the watch. There was a crowd of 25, 30 or 40 people, around, at the time. The defendant was walking along the street, the same as any other citizen, and went into the liquor store, and he, the witness, followed him, and arrested him upon the complaint of the complainant.

THE DEFENSE.

PATRICK FRAWLEY, the DEFENDANT, testified that he is going on 27 years of age. He had no particular place of residence in particular, at the time of his arrest, but had been living with his brother, on Windsor Terrace, Brooklyn. He, the defendant, belonged in Troy,

0328

6

but came over to the City that morning, from Brooklyn, after seeing his brother go to work. He, the defendant, came long Chatham Street, after getting breakfast, and went into the saloon next door, to get a drink, and an officer came in and put his hand on the defendant and walked him, the defendant, to the door, where there was a crowd, and one man came up and said, "That looks like the man, and another man said the same, and another man said, "That's the man." Then the officer arrested him, the defendant. He, the defendant, had not taken any drink that day. He, the defendant, could not say exactly when he left his brother's house, but he thought it was before 6 o'clock, and he was arrested, according to the officer's statement, about 7 o'clock in the morning. He, the defendant, had been down from Troy a little over two months. He had never before seen the complainant. While here, he stopped with his brother, off and on. He, the defendant, is a moulder.

In

CROSS-EXAMINATION,

0329

He, the defendant, worked last in the Artuckle Building, in Brooklyn, five months ago. He worked there about a week. He was going to work on the day of his arrest. He had previously worked for P. Collier & Co., as book agent. Their place is on Warren Street. He continued in the employ of Collier over two months. He travelled in New Jersey. When he did not stop at his brother's place, he lived at hotels. He did not remember the names of the hotels that he stopped at. On the night preceding his arrest, he stopped at a hotel on the Bowery above Grand Street. He believed the name of the hotel was the "Gilson House." It was not a hotel, but a lodging house. He was passing the place, and he saw, "Lodging for the Night," on a sign on the building, and he went in and paid for a night's lodging. The defendant, later in his testimony, stated that he did not stop at that hotel or lodging house on the night before his arrest, but that he stopped in Brooklyn with his brother. It was a mistake, he, the defendant, testified. He could not tell how many times he had stopped at that lodging

U

D

0330

8

house; but thought he had been there more than once. He did not know any one connected with it. The witness now testified that he was going to work, in the Arbuckle Building, in Brooklyn, on the morning of his arrest, and that he came to this City, that morning, to get his books and maps that he had left at Lewinski's saloon, a little North of Pearl Street. He left his brother's house on the morning of his arrest, and came over on the ferry---Fulton Ferry. His brother's address is 47 Greenwich Avenue, Windsor Terrace, Brooklyn. He left his brother's house at about 6 O'clock, rode to the Fulton Ferry, and came through Fulton to Pearl and from there to the restaurant. He came up Pearl to Chatham. He had often been in New York. He rode in Brooklyn on the horse-car. He was in the restaurant about 15 minutes. He rode about six or seven miles in Brooklyn. He left his books and maps in a place across from the restaurant. His books and maps had been in that place about a week. He got them from Mr Owen, in the Arbuckle Building, in Brooklyn. The books and maps related to real estate, on any sale of which, made by him, he would get a commission. He left his maps and

books in that saloon three or four times. He, the defendant, did not know the name of the man with whom he left his books and maps, but thought he was a jewish man. He, the defendant, did not tell anybody, on the morning in question, about having been over to New York for the purpose of getting the books and maps.

In

RE-DIRECT-EXAMINATION,

the witness testified that he had never been convicted of crime.

JOHN FRAWLEY testified that he is a book agent. He is a brother of the defendant. He, the witness, saw the defendant on the morning of November 22nd, 1893. He left his house at about 6 o'clock that morning. He stopped with him, the witness, on the night of the 21st. of November. During the last two months he, the defendant, worked for Collier. The general reputation of the defendant for truth and honesty was "first class."

In

CROSS-EXAMINATION,

0332

the witness testified that the defendant had been working with him, canvassing, in New York, Brooklyn Jersey City, etc. He, the witness, and the defendant worked together for Collier. Later on, the witness testified that the defendant worked for him, the witness, and that he, the witness, worked for Collier. He and the defendant also worked for a real estate firm in the Arbuckel Building, Brooklyn, of which the President was a man named Patterson; at the same time, they were in the insurance, the real estate and the book canvassing business. He, the witness, saw the defendant at about 7 or 8 o'clock on the night before the morning of the defendant's arrest, and just before the defendant went to bed. He, the witness, saw his brother, the defendant, last, at about 6 o'clock on the morning of the arrest. He, the defendant, said that he expected to sell a party, that day, some property in Floral Park. About five days after the defendant was arrested, he, the witness, received a letter from him, announcing his arrest. He, the defendant, told him, the witness, about the bundle of maps and books that he had left at

0333

the place already referred to.

ALEXANDER SPRUNG testified that he is a barkeeper, at 143 Park Row. He has worked there five weeks. He was there on November 21st. He knew the defendant, who left some papers on the bar for advertisement. He gave the witness two tickets for the railroad, to go out and see the real estate. He wanted to sell him, the witness, some real estate. He, the defendant, came in the saloon first for a drink, and then he commenced to talk about real estate, and he took out the two tickets, and gave them to him, the witness, and said the fare was free, and asked him, the witness, if he could put some of those maps on the bar, and he took out a lot of them and left them on the bar, and said he would be around the same day again. He, the witness, had not seen the defendant since---not till he saw him on the morning of the trial.

In

CROSS-EXAMINATION,

the witness testified that he kept bar for Abraham

Sprung, at 143 Park Row. Sometimes he goes on duty at 5 o'clock, and sometimes he stops at 10 or 11 o'clock, at night. The defendant never left any papers or maps, and ask him, the witness, to save them for him.

REPUTTAL.

OFFICER MARTIN BENNETT, being recalled, testified that when he searched the defendant he found on him a couple of pieces of chain and a small locket. The defendant did not say anything to him, the witness, about coming over that morning for maps or books. When he the witness found tickets in his, the defendant's pocket, he said that was his business. The defendant said he had lived in Troy N.Y. 22 years. He didnt say anything about living in Brooklyn. The parts of a chain that he, the witness, got from the defendant, he, the defendant, said belonge d to his sister. The watch and small portion of the chain lbe witness got from the complainant and the other two portions of the chain and charm from the defendant.

///////

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Patrick Frawley

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

Patrick Frawley
attempting to commit the crime of
of the CRIME OF GRAND LARCENY in the Second degree, committed as follows:

The said

Patrick Frawley

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

one watch of the value
of four dollars, and one chain
of the value of two dollars

of the goods, chattels and personal property of one Joseph Petro Pento
on the person of the said Joseph Petro Pento
then and there being found, from the person of the said Joseph Petro Pento
then and there feloniously did, steal, take and carry away, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

De launcey Nicoll
District Attorney

0336

BOX:

543

FOLDER:

4940

DESCRIPTION:

Frommer, Robert

DATE:

12/11/93



4940

0337

179 134 Dec 11/93
1325

Witnesses:

.....
.....
.....

Filed Dec. 13
by Andrew Horn
75 Park Row

COURT OF OYER AND TERMINER.

Counsel,

Filed, 11th day of Dec. 1893

Pleads,

THE PEOPLE

vs.

Robert Frommer

General Sessions

Dec 11 to 13

*B
WA*

VIOLATION OF THE EXCISE LAW.
Selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32.]

By LANCEY NICOLL,

District Attorney.

SUPREME COURT PART 1,

December 22 1899
INDICTMENT DISMISSED.

A TRUE BILL.

R. J. Cross Foreman.

FILED DEC. 15
1896

0338

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
 against
Robert Frommer

The Grand Jury of the City and County of New York, by this indictment, accuse
Robert Frommer
 of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND
 BEER ON SUNDAY, committed as follows:

The said *Robert Frommer*,

late of the City of New York, in the County of New York aforesaid, on the *twenty ninth*
 day of *October*, in the year of our Lord one thousand eight hundred and
 ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong
 and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill
 of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
 one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-
 ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to *one R. B. Mc Cully, J. W. Briggs,*
 and to certain other persons whose names are to the Grand Jury aforesaid unknown, against
 the form of the statute in such case made and provided, and against the peace of the People of
 New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Robert Frommer
 of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,
 WINES, ALE AND BEER, committed as follows:

The said *Robert Frommer*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the
 same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of
 wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one
 gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of
 a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and
 expose for sale to *one R. B. Mc Cully, J. W. Briggs,*
 and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the
 form of the statute in such case made and provided, and against the peace of the People of the State
 of New York and their dignity.

DE LANCEY NICOLL,
 District Attorney.