

0125

**BOX:**

296

**FOLDER:**

2815

**DESCRIPTION:**

Fahey, John

**DATE:**

02/01/88



2815

POOR QUALITY  
ORIGINAL

0126

Witnesses:

Officer Moore

327

Counsel,

7-2 Gallagher

Filed,

day of

188

Pleads,

Not Guilty

THE PEOPLE,

vs.

John Fahy

July 13/10  
Sent to the Court of Special Sessions for trial, by request of Counsel for Defendant.

VIOLATION OF EXCISE LAW  
(Keeping Open on Sunday.)  
(Ill. Rev. Stat. (7th Edition), page 1889, Sec. 5)

JOHN R. FELLOWS.  
RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Foreman.



POOR QUALITY  
ORIGINAL

0127

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

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

*against*

*John Fahey*

*Defendant.*

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

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

*John R. Fellows*

~~RANDOLPH B. MARTINE~~, District Attorney.

0128

**BOX:**

**296**

**FOLDER:**

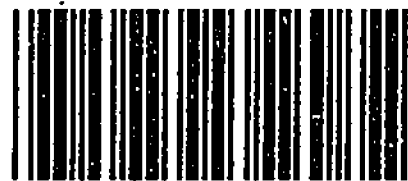
**2815**

**DESCRIPTION:**

**Fallon, William**

**DATE:**

**02/14/88**



2815

POOR QUALITY  
ORIGINAL

0129

WITNESSES:

*off Baker*

Counsel,

Filed *14* day of *Feb*

188*8*

Pleads

*Guilty (17)*

THE PEOPLE,

vs.

*B*

*William Salton*

Violation of Excise Law.

(Selling on Sunday, etc.)  
[III Rev. Stat. (7th Edition), page 1983, Sec. 21, and  
page 1989, Sec. 5.]

JOHN R. FELLOWS,

*By* RABBOLEPH B. MARINE,

District Attorney.

*Filed to the Court of Special  
Sessions for trial, by request  
of Defendant.*

A True Bill.

*Gastner*

For empan.

*[Signature]*

POOR QUALITY  
ORIGINAL

0130

## Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*Plaintiffs*

*against*

*William Fallon*  
*Defendant.*

The Grand Jury of the City and County of New York, by this indictment, accuse the above named defendant of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows :

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *eighth* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight* at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, 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 as a beverage to one

*Frank Baker*

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.

### SECOND COUNT :

And the Grand Jury aforesaid, by this indictment, further accuse the said defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said defendant, late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

*John R. Fellows*  
**RANDOLPH B. MARTINE,**

District Attorney.



0131

**BOX:**

296

**FOLDER:**

2815

**DESCRIPTION:**

Fanshawe, John M.D.

**DATE:**

02/23/88



2815

POOR QUALITY  
ORIGINAL

0132

General Sessions

91

May 2, 1890  
381  
88

Counsel

Filed May 2, 1890

Pleas, guilty (not guilty)

THE PEOPLE,

vs.

30

27

1890

John M. D. Sancham

Section 486, sub 2, Penal Code

JOHN R. FELLOWS.

RANDOLPH B. MARTINE

May 14, 1890 District Attorney, 10c.  
Prison and Sheriff disagree 2a.

Prison for new trial & warrants  
AT True Bills of property denied by  
Prison May 24, 1890

May 19, 1890

Prison for new trial & warrants  
AT True Bills of property denied by  
Prison May 24, 1890

Bail fixed at  
\$1500

Witnesses: May 2, 1890

George P. Andrews

of C

Bail fixed by

Judge, \$10,000

Bail received by Justice

Lawrence T. J. C.

to \$1,500. Feb 24/88

(See within)

Replied to  
Prison for new trial & warrants  
AT True Bills of property denied by  
Prison May 24, 1890

Prison renewed

May 14, 1890

New Bail

Emma Louise Chadwick

37 West 56th Street



POOR QUALITY  
ORIGINAL

0133

Ordered to the COURT of  
General Sessions  
of the COUNTY of NEW YORK,  
for trial (Entered in the Minutes)  
Feb 27 1891

1891  
Feb 27 1891

1891  
Feb 27 1891

THE PEOPLE  
vs.  
John M. O'Sullivan

John M. O'Sullivan  
vs.  
THE PEOPLE

JOHN R. FELLOWS,  
COUNSELLOR AT LAW,  
AND  
JOSEPH B. MARTINE  
Attorneys at Law

JOHN R. FELLOWS,  
COUNSELLOR AT LAW,  
AND  
JOSEPH B. MARTINE  
Attorneys at Law

JOHN R. FELLOWS,  
COUNSELLOR AT LAW,  
AND  
JOSEPH B. MARTINE  
Attorneys at Law

1891  
Feb 27 1891

1891  
Feb 27 1891

THE PEOPLE  
vs.  
John M. O'Sullivan

John M. O'Sullivan  
vs.  
THE PEOPLE

JOHN R. FELLOWS,  
COUNSELLOR AT LAW,  
AND  
JOSEPH B. MARTINE  
Attorneys at Law

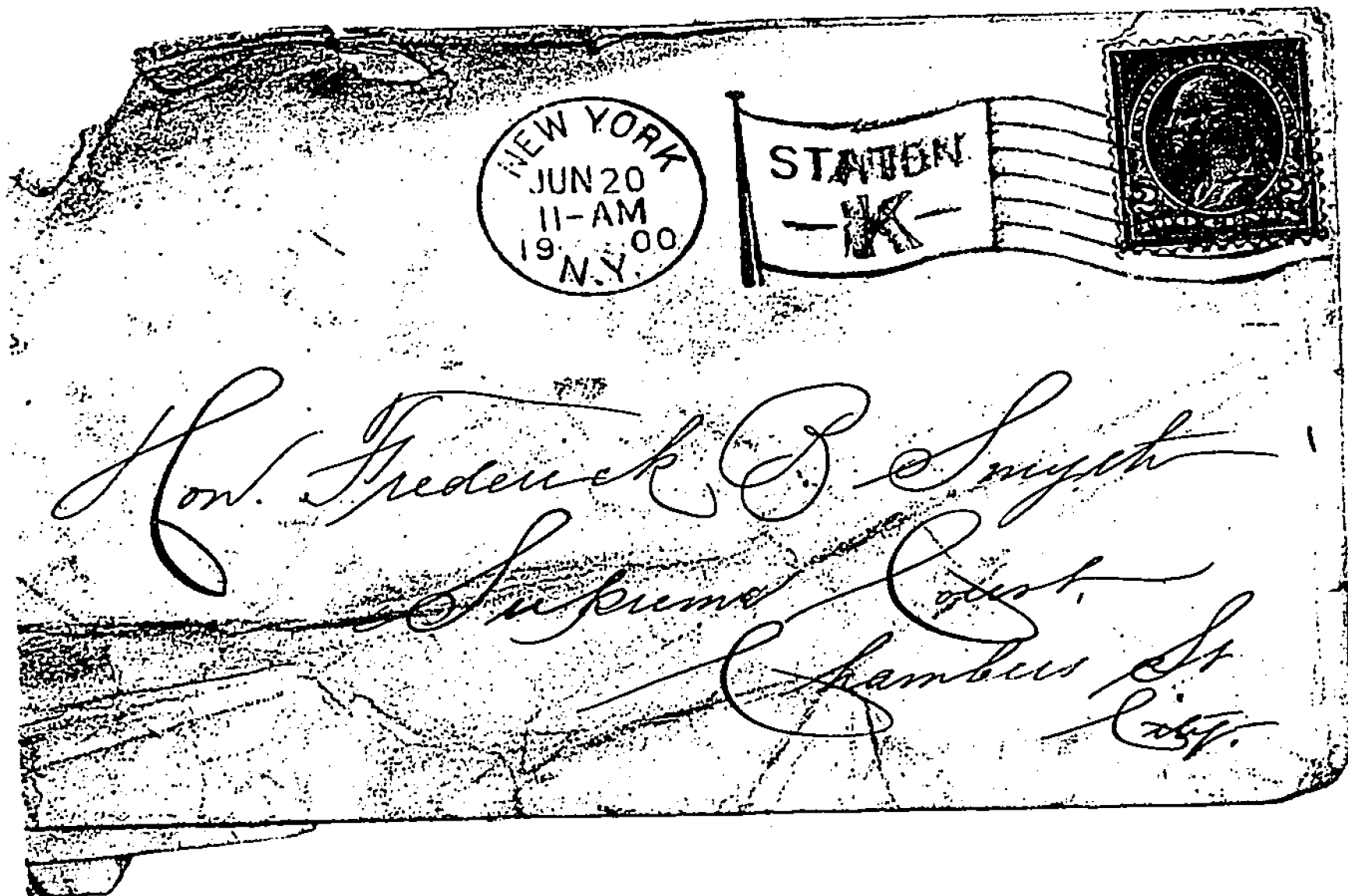
JOHN R. FELLOWS,  
COUNSELLOR AT LAW,  
AND  
JOSEPH B. MARTINE  
Attorneys at Law

JOHN R. FELLOWS,  
COUNSELLOR AT LAW,  
AND  
JOSEPH B. MARTINE  
Attorneys at Law



POOR QUALITY  
ORIGINAL

0134





POOR QUALITY  
ORIGINAL

0135

COURT OF GENERAL SESSIONS,

PART III.

-----X  
The People of the State of New York : Before  
: Hon. Frederick Smyth  
against :  
John M. D. Fanshawe. : and a Jury.  
:-----X

Indictment filed February 23rd, 1889.

Indicted for Arson in the First Degree.

New York, March 12th, 1891.

APPEARANCES.

For the People Assistant District Attorneys Francis  
L. Wellman and Charles E. Simms, Jr.

For the Defendant Mr. Thomas C. E. Ecclesine and  
Mr. William P. P. Melvin.

WILLIAM C. ADAMS, a witness for the People, sworn, testified:

I am the agent of the house No. 50 East 29th Street,  
in this City. Prior to February 3rd, 1888, I leased this  
house to Miss Ellen R. VanDuser. Except painting there  
has been no change in the outside of those premises from  
February 3rd, 1888, up to the present day. On the morning  
following the fire I went to the room occupied by the de-  
fendant, Fanshawe, at half past eight o'clock. I looked  
at the bed. The under sheet appeared to be smooth, the  
pillows were smooth. The bed looked to me as if it had  
not been occupied.

CROSS-EXAMINATION:

I went to those premises for the purpose of exam-

**POOR QUALITY  
ORIGINAL**

0136

ining the damage done to the premises by the fire. I was a witness on the last trial but was not examined in regard to the bed. I did not examine the bed particularly but simply looked at it. I believe the Fire Marshal was present at the time I was in the room. I saw a trunk in the room. The photograph which is now shown me is a correct photograph of the house No. 50 East 29th Street.

JOHN B. HUNTER, a witness for the People, sworn, testified:

I am a photographer by occupation. At the request of the District Attorney I took two views of the premises No. 50 East 29th Street. No. 1 represents the view of the house on the street and No. 2 represents the view of the house on the avenue. Those photographs are a correct representation of that house. I also took a photograph of the hall on the second floor, which takes in the two closets on the left side of the hall. That photograph is also correct.

GEORGE A. WHEELER, a witness for the People, sworn, testified:

I am a City Surveyor. In March, 1888, I made the map which is now shown you. It is a correct map of the second story of No. 50 East 29th Street. I made the measurements myself and they are correctly represented on the map.

CROSS-EXAMINATION:

I could not tell the exact date on which I made this map. I have indicated on the map the portion of the floor which was charred. I have also indicated the portion of the floor which was repaired. They appeared to me to have

**POOR QUALITY  
ORIGINAL**

0137

repaired as much as was necessary to make a fair job of it, but they did not tear out right to the extreme surface charring of the floor. The charring which I have indicated here was well defined, it was charred so that the fibre of the wood was destroyed. I have indicated the various pieces of furniture that was in the room and the closets. I went to the house in company with Assistant Fire Marshal Frank.

ELLEN R. VANDUSER, a witness for the People, sworn, testified:

On the 3rd of February, 1888, I lived at No. 50 East 29th Street. I kept that house as a lodging house. The diagram which is now shown me correctly represents the furniture that was in the room occupied by the defendant on the night of the fire, February 3rd. There were two folding doors that lead into the front parlor on 4th Avenue. There was a niche, used as a closet, in front of which was a portiere. The other articles of furniture were in the positions as indicated on that diagram.

**CROSS-EXAMINATION:**

I remember Mr. Wheeler, the Surveyor, coming there and taking the measurements. There was no change made in that room, or in that hall, between the date of the fire and the time the plans were made. There was carpet on the hallway and on the stairs, and I noticed that the carpet was scorched right across the hall. I could not say that there was any charring underneath the carpet in the hall.



**POOR QUALITY  
ORIGINAL**

0138

JACOB FRANK, a witness for the People, sworn, testified:

I am an assistant to the Fire Marshal in this City. In the month of March, 1888, I went to the premises No. 50 East 29th Street, in company with Mr. George A. Wheeler, a City Surveyor. He took the measurements. The point marked B on the diagram represents the mark of fire from the foot of the stairs over to a mat at the door leading into this room. There was carpet on the hall. The diagram correctly represents the running of the fire across the carpet.

CROSS-EXAMINATION:

Before this diagram was made I had taken part of the burned carpet away. A portion of the carpet on the stairs was burned through sufficiently to scorch the stairs under it. Before this plan was made the repairs to the premises had been made.

X  
FRANK B. DOUGHTY, a witness for the People, sworn, testified:

I reside at No. 50 East 29th Street and have lived there seven years last October. I was an occupant of that house on February 3rd, 1888. My sister Celia Doughty lived on the same floor with Mr. Fanshawe at that time. Mrs. Courtney also lived in that house. There was at least 15 or 20 people sleeping there on the night of the 3rd of February, 1888. Between 2 and 3 o'clock on the morning of the 3rd of February my sister woke me up; I opened the hall door, and saw that the stairs were on fire and the carpet across the hall. I took water that I had in my room, and some of the people upstairs helped me to put it out. The



**POOR QUALITY  
ORIGINAL**

0139

carpet on the stairs going from our floor to the one above was on fire. There was a fire across a piece of carpet which ran toward the door of Mr. Fanshawe's room. The edge of a rug which stood in front of his door was also on fire. There was no connection between the fire on the rug in front of Mr. Fanshawe's door and the fire on the stairs. I also discovered a fire in the closet under the stairs. I put that out. There was no connection between the fire in the closet and the fire on the stairs. I noticed the smell of smoke, and also noticed that the color of the flame was a dark blue. After the fire was put out I saw Mr. Fanshawe standing in the middle of his room; he was apparently dressed; he had on his clothes but I don't remember whether he had a collar or necktie on. This is a four story brick house. The fire was on the first floor above the street. The door of the closet in which I discovered the fire was open about three or four inches. That closet was about 8 or 10 feet from the door of Mr. Fanshawe's room. I saw the firemen burst the door of Mr. Fanshawe's room open.

**CROSS-EXAMINATION:**

Miss VanDuser, the lady who kept the house, had two sisters living with her, Miss Frances and Miss Lollie. I always considered the latter an imbecile. The fire was more smothered than it was brilliant. I did not notice much light about it. The flame coming from the fire on the stairs was also blue. I think it was the sort of a flame that alcohol would produce, or brandy would produce if poured on a lump of sugar and then set fire to; a dark blue. As soon as I got out in the hall I shouted to the people to

**POOR QUALITY  
ORIGINAL**

0140

send out a fire alarm, and the firemen must have arrived in six or seven minutes. It took me two or three minutes to put the blaze out in the hall. I used several pitchers of water. I could not say whether I saw Mrs. Courtney in Mr. Fanshawe's room that night or not. I was in the Fire Insurance business about ten years ago. I am now a broker in investment securities. That is my only source of income. The door entering this house from 29th Street was left on the latch all night. People lodging in the house, and having a latch key, could go in at any time of night. The door could be opened with an ordinary key. I do not believe Mr. Fanshawe had a hat on the night I saw him in his room.

ELLEN R. VAN DUSER, re-called.

The defendant came to my house on the 6th of January, and had been there just four weeks when this fire occurred. He came there with a lady whom he introduced to me as Mrs. Fanshawe. He had previously lived at my house with another lady under the name of Mr. and Mrs. Hart. He then moved across the street and returned again in January. The lady who was living with him as Mrs. Fanshawe left the house on the 2nd of February, and was not there on the night of the fire. I had a conversation with her before she left; she took no trunk. On the night of the fire I was asleep in the same bed with my sister Lollie. She has an impediment in her speech and is feeble minded. I slept on the floor below Mr. Fanshawe on that night. I was aroused between 2 and 3 o'clock. So far as I know there was no alcohol in

POOR QUALITY  
ORIGINAL

0141

my house. When Miss Doughty woke me up, I put on my wrapper and went upstairs; I found Mr. Doughty in the closet fighting the fire. After the fire in the hall was put out, we all went into Mr. Fanshawe's room. Some one said, "I wonder if there is any fire anywhere else"; and I says, "This rug is soo near the door we will knock at the door and see if there is any in there"; so I knocked at the door and got no answer, and then I turned the knob in the door. The door was locked. That was two or three minutes before the firemen came. When they came I told them the fires were out, and they asked, "Is this a gentleman's room?" I told them it was, and one of the men put his shoulder to the door, bursted it open, and then the smoke and the flames poured out. After they got control of the smoke and fire I went in the room and I saw Mr. Fanshawe come in from the street in his stocking feet. He seemed to be carefully dressed. He had his clothes on, and his shirt looked as though it had just come from the laundry. I noticed fire just inside of the folding doors, and also on the portiere over the niche that has been spoken of. Mrs. Courtney and Miss Doughty were there. Miss Doughty said, "Why didn't you knock at my door?" Mr. Fanshawe said, "I did knock at your door, madam." She then told him that she was a light sleeper and did not hear him. The bed in Mr. Fanshawe's room did not look as if it had been slept in. There were no indentations in the pillows; the bed clothes were partly up over the pillows. Mrs. Courtney said, "Where did he sleep?" and I says, "This is his bed." She says, "Nobody slept in that bed." Mr. Fanshawe was



**POOR QUALITY  
ORIGINAL**

0142

there and he did not say anything.

Case adjourned until March 13th.

New York, March 13, 1891.

CELIA DOUGHTY, a witness for the People, sworn, testified:

I live at No. 50 East 29th Street. I was in that house on the night of the 3rd of February, 1888. I went to bed between 10 and 11. My room was in the extension, and was next to Mr. Fanshawe's. When I say I went to bed I mean I went to sleep. I have not been to bed in four or five years. I sleep in a chair at night. When I awoke I perceived a very strong smell as of burning wool and smoke. I went to the window to look out to see where the fire was. Some person in the street said that the house was on fire; I called for police and then woke my brother up, who slept in the room next to me. I was not dressed at this time. When I opened the door to go out into the hall I saw the stairs on fire. Some of the flames were yellow and some were blue. This must have been about 2 o'clock in the morning. I went downstairs and found Miss VanDuser in bed with her sister. I woke her up and she went upstairs. Nobody knocked on my door to awaken me that night. I did not hear any noise in Mr. Fanshawe's room before I went to sleep that night, except a noise of the clinking of glasses. That awoke me and I fell asleep again. I am proverbially a light sleeper. When I saw Mr. Fanshawe personally I asked him why he did not knock on my door and wake us up. He told me he had knocked on my door. He did not. I had no further conversation with Mr. Fanshawe. The key which



**POOR QUALITY  
ORIGINAL**

0143

is now shown me is a key of the front door of those premises.

**CROSS-EXAMINATION:**

I am affected with heart trouble, which causes me pain at the base of the brain sometimes. At times it interferes with my sleeping. I cannot tell what time elapsed from the time I went to sleep until I was awakened by hearing the clinking of glasses. It sounded like glass clinking against glass. I went to sleep shortly afterwards. When I say that Mr. Fanshawe did not knock at my door, I mean that he did not knock; if he had knocked I should have heard him. I did not know the gentlemen who shouted to me that the house was on fire.

**ELLEN R. VANDUSER, re-called, examination continued:**

It was at 3 or 4 o'clock in the morning that I had the conversation with Mr. Fanshawe. Mrs. Courtney came into the room and she asked me where the occupant of that room was and I pointed to Mr. Fanshawe. At 8 o'clock in the morning I heard a conversation between Mr. Fanshawe and Mrs. Courtney. Mrs. Courtney said a good many things; she asked him if he had left any cigarette ends around, so that the fire could have taken from them. He said he had not; he said he was in the insurance business, and thought he could assist me to recover my loss. Mrs. Courtney told him I was not insured. He said he thought he could make my loss good. Mrs. Courtney told him he could make the loss good by replacing the things that were destroyed. The defendant wanted to know if she accused him of setting the

**POOR QUALITY  
ORIGINAL**

0144

room on fire; she told him no, but she would feel under obligation to render me an account if the fire had occurred in her room instead of his or remain under a cloud. She asked him where he was when the fire broke out, and he said he was in bed. She asked him why he did not arouse any of the rest of the people when he found there was a fire, and she also asked him about being dressed when the rest of us were not. He said the door was on fire and he could not get into the hall, and she said there were three or four other ways of getting out. She asked him why he didn't knock on the door of Miss Doughty's room, and he said he did not have strength to part the curtains. When she asked him about being dressed, he said that when he found the room on fire he went to his pants, took out the keys, unlocked his trunk, took his suit of clothes out and put them out. She said that she thought if he had strength to do all that he ought to have had enough strength to knock on Miss Doughty's door. I don't know as he said anything to that. He then went out. I went to his room and found there a burned trunk. Around the trunk were a lot of burnt clothes, gentlemen's and ladies' underwear; pants and coats, and quite a number of bath towels, and different things. The carpet was burned in one corner of the room. In the hall the carpet showed signs of fire, running diagonally from the stairway to his door. I found four bottles over by the window, and there was a bottle of Pond's Extract on the washstand, and all of the other bottles had the smell of Pond's Extract, and a Pond's Extract cork was

**POOR QUALITY  
ORIGINAL**

0145

in one of the bottles. On the day before the fire I swept out Mr. Fanshawe's room. I did not notice any bottles in the room at that time. I sent for the agent of the house, and showed him the damage that had been done. Nobody had been allowed to disturb the room from the time of the fire until the Fire Marshal came. Mr. Fanshawe returned to the house in the evening with a friend and had a conversation with the Fire Marshal. Several days after he met the adjuster from the Insurance Company there.

**CROSS-EXAMINATION:**

A gentleman named Raffelstar had been a lodger in my house for some time prior to this occurrence testified to. Mr. Fanshawe frequently visited that gentleman. I became acquainted with him by his coming to the house. From the time of the fire until the Fire Marshal arrived the door of the room was open. No person has been talking to me about this case. I have read over my evidence given on the previous trial. The conversation between Mrs. Courtney and Mr. Fanshawe on the morning after the fire was to the effect that Fanshawe should make good the loss which Miss VanDuser had sustained. I remember having a conversation with a policeman on the night of the fire, and his saying that he came there to protect me. That matter had slipped my mind. I sent for the Fire Marshal. Mrs. Courtney wanted to have Mr. Fanshawe arrested that night. I slept downstairs in the reception room. On the evening before the fire I remember that Mr. Fanshawe complained of having missed his boots. I also remember that my sister Lollie came



**POOR QUALITY  
ORIGINAL**

0146

into the room and she discovered the boots in the niche under the drapery. I have testified before that the intellect of my sister is about that of a child of seven. She does not do any acts of mischief; she was not mischievous. There were about sixteen or eighteen lodgers in my house on the night when this fire occurred. The bottles that I discovered in Mr. Fanshawe's room were lager beer bottles. There was one Pond's Extract bottle on the washstand. Mrs. Oehmig and Mrs. Courtney and myself smelled of the bottles in the room and we agreed that the odor was that of Pond's Extract.

X DeWITT C. WHEELER, Jr., a witness for the People, sworn, testified:

I am a manufacturer of complexion articles at No. 6 East 14th Street. On the night of February 3rd, 1888, between 2 and 3 o'clock in the morning, I was on 4th Avenue and 29th Street. I was coming down on the west side of 4th Avenue. My attention was attracted to a window on the 29th Street side of the house, No. 50 East 29th Street; I saw a light, it looked like fire behind the window. It was the going up and down of fire. The shade of the window was pulled down. I saw the shade go up, I saw fire behind the shade. I saw a man appear at the window and he called out to send an alarm. I don't remember exactly what he said, he just wanted to send out an alarm. I went to the box. I got the key in the drug store on the opposite side of the street, then I glanced over to where the fire was to see if it would warrant sending out an alarm. It appeared to me



**POOR QUALITY  
ORIGINAL**

0147

as though the fire was increasing. I put the key in the box, and left a man who had come up at the box. I shouted to him to pull the hook. In the meantime I was making all the noise I possibly could. I was calling police and yelling fire at the top of my voice. When I got back again I saw this man out on the window sill, and I called to him not to jump. He had his trousers on, I think he had his coat on, I could not say whether he had a vest on or not. I saw him brought down on the ladder. I cannot identify the man.

**CROSS-EXAMINATION:**

I am a relative of DeWitt C. Wheeler, formerly a Police Commissioner. I did not see a light in any other room in that house at that time. The rest of the house was in total darkness. I could not say what the man shouted to me. I rushed to the drug store and got the key to the alarm box. When the man got down on the sidewalk he commenced to shiver, and I suggested that they take him over to the drug store and get some whiskey. I saw something smoking in the gutter which looked like a box or a trunk. I heard it fall. I made a statement to the Fire Marshal of what I knew about this case. I am the gentleman who shouted to Miss Doughty that her house was on fire. Nobody has asked me to testify differently from what the facts are. When I saw the man on the street he had his pants on, shirt, and had no hat or stockings as far as I could see.

POOR QUALITY  
ORIGINAL

0148

X JAMES M. NUGENT, a witness for the People, sworn, testified:

I am Captain of Hook and Ladder No. 7. On February 3rd I went with my company to a fire at No. 50 East 29th Street. I received ~~at~~ the alarm at 2.36 A. M. When I arrived at the house I saw a man sitting on the sill of the second story with his limbs out. He had on a coat and vest, a white shirt, a pair of dark trousers. The door on 29th Street was broken in by one of the firemen. When I went upstairs I found a fire in the closet smouldering. One of the firemen broke in the door, and when he did I said to Miss VanDuser "Where is the room the young man occupied?" She pointed out the room to me. The door was locked. I pushed it in. Right at my left towards Madison Avenue was a trunk on fire; the lid was open; there was a tray in the trunk and the clothes around it and the trunk were on fire; the trunk was about four feet away from the door. There was no connection between the fire in the hall and the one in the room. There was about  $5\frac{1}{2}$  feet between the fire that was on the mat in front of the door and the fire in the room. There were two portieres that were partly burned, and there was a dolman or a lady's sacque laying on a chair which was also burned. The defendant came into the room and I said to him "Do you occupy the room alone?" and he said "No, my wife and I occupy the room". "Was your wife home last night?" he says "No", she had gone to the country. I then asked him what awakened him and he told me the heat and the flames, and I asked him were those the clothes he wore that day and he told me no. He said he went to his pocket, got his keys, opened the trunk and took

this suit out which he had on, because they were a better suit than the ones he wore that day. I said "Why, your trunk was on fire"; he did not have anything to say about that. The defendant had a dress shirt on. I asked him why he did not go out in the hall and alarm the people. He told me that the hallway was on fire. I asked him how he knew that and he gave me no answer. I then asked him what time he went to bed, and if he was smoking; he said that he was not smoking and that he went to bed between 10 and 11 o'clock. I found traces of fire on the door map directly opposite the door, on the carpet in the hall, at the newel post on the stairway, on the stairs, underneath the stairs, and in a closet underneath the stairs. None of those fires showed evidences of having connected with one another. I did not observe any fire under the door of the defendant's room. He told me that he got the key of his trunk out of the pocket of a pair of trousers which he had worn that day; that he opened the trunk and got out another suit of clothes. The fire in the trunk was confined to the tray.

CROSS-EXAMINATION.

The night in question was not very dark; there was snow on the ground; it was sufficiently light for me to recognize people in the street. I met Miss VanDuser coming down stairs and she said to me "My goodness, fireman, what did you break in the doorway for, the fire is all out" I says "You come up and show me where the young man's room is". With the assistance of a fireman I broke in the door



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of the defendant's room. The casing of the door was burned on the inside about 3 1/2 to 4 feet up. I produce a piece of moulding which was taken from that room; it is charred. I did not take notice as to whether the surbase was burned or not. All the fire in the room was burning slowly; the flame was not so hot but what I got into it and went across the room. It was hot enough to crack the glass in the window 15 feet away from the point of burning. I did not measure the distance from the traces of fire in the hallway to the traces of fire in the room. When I said it was 5 1/2 feet it was a rough guess. I ordered one of the men to throw the burning trunk out of the window. It was about 15 or 25 minutes after I got into the house that I had the conversation with the defendant. The conversation lasted about five minutes. There was a gaslight in the hallway on the second floor. The defendant was coming upstairs when I first saw him. He had his coat open so that I could see that he had a laundried shirt on. I did not take notice as to whether the flames which I saw burning in the young man's room were blue or not. I took particular notice of the dress of the defendant when I saw him. Since the last trial I have read over the testimony which I gave. My memory of the occurrences are about the same to-day as they were at the last trial. The defendant when I saw him first was apparently very cool. There was an examination held at my office, Hook and Ladder Company No. 7. The defendant and his counsel were present. I asked him there "Ain't that the shirt you had on last

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ORIGINAL**

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night?" He said "Yes, that is the only shirt I got". I said "That is not a night shirt" and he said "That is the shirt I had on." I asked him "Where is your wife?" He said "She is in the country." I asked him if he was insured and he told me "Yes, for \$2,000. on two trunks"; that the other trunk was not at home. All that we did to the fire in the hallway was to cut a piece of the floor near the newel post and overhaul the rubbish underneath the stairs. The other fires had been extinguished. It only took us about fifteen minutes to put out the flames in the room of the defendant.

HUGH T. GRINNON, a witness for the People, sworn, testified:

I am a fireman attached to Engine Company 40. I remember the fire at No. 50 East 29th Street on the 3rd of February, 1888. When I arrived at the premises I put up a ladder and brought the defendant down. At that time he was attired in a jacket, pants, coat and vest; no shoes, white stockings. I said to him "It's a kind of a cool morning".

CROSS-EXAMINATION.

That was said on account of the way he was dressed. He was more or less excited. He had a white shirt on underneath his jacket; I did not take notice as to whether he had a collar on or not. The ladder which we put up was 13 feet long.

JAMES PEARL, a witness for the People, sworn, testified:

I am a fireman connected with Hook and Ladder Com-

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ORIGINAL**

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pany No. 7. On the morning of the 3rd of February I was at this fire. I threw the trunk out of the window; I do not remember whether I threw the tray of the trunk out or not. I was told by the foreman to throw it out and I did so.

BENJAMIN A. OEHNING, a witness for the People, sworn, testified.

In the month of February, 1888, I was rooming at No. 50 East 29th Street, with Miss VanDuser. I was awakened on that morning by hearing a noise in the street. I was sleeping on the fourth floor, and when I heard the cry I arose and went to the window fronting on 29th Street. I smelled something like paper burning. I looked out of the window, then I went to the hall door and the smoke and the scent of fire was very strong. I went back in the room and rapped on Mrs. Courtney's door; then I shouted fire in the hall, to arouse the people, went back to my room and dressed myself. While I was out in the hallway I looked over the stairway and I could see a dim light, the smoke was coming up and it looked as if it were a flame bursting through the floor. By the time I was dressed the firemen had come, and the people below me began to get out on the extension, and the firemen put up a ladder to take them off. I went down stairs. After the fire I went into Mr. Fanshawe's room. Mrs. Courtney, Miss VanDuser, and the Captain of the fire company were there. I looked at the bed; the bed clothes were turned down, as if one intended to occupy the bed, but the sheets had not been slept on at all,



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I am confident, that evening, and the pillow had not been slept on. About an hour afterwards my attention was called to the floor by the Fire Marshal. I got down on the floor and smelled the carpets where it had been burned, and also the carpet on the stairway. I perceived an odor of something like spirits. When the defendant came in the room I asked him if he had any insurance and he remarked that he had a little.

**CROSS-EXAMINATION.**

I was a witness on the last trial. The cries which awakened me sounded something like fire or murder. I was afraid to go down stairs because I saw the flames, as I thought, bursting through the floor. The smoke was stifling and I could not stand it; I did not go down stairs until the fire and smoke had disappeared. My attention was called to the bed by Mrs. Courtney as to whether it looked like as if it had been slept in, and my remark was that it was not. The pillows were lying on an angle; I did not go over and feel of the bed; I did not lift up the pillow; I think the pillow was lifted by Mrs. Courtney. When the Fire Marshal came in the morning he lifted the pillow and examined the bed. I could not say who took the night dress from under the pillow.

**JAMES W. MOORE,** a witness for the People, sworn, testified:

I am a shipping clerk. On the 3rd of February, 1888, I lived at No. 53 East 29th Street. Between half past 2 and 3 o'clock on that morning I was awakened by a cry of fire. I went to the window, and saw a young man

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between the fire box and the drug store. I dressed myself and when I got down to the front door, I saw the fire company breaking into the hall doorway. I looked across the street and saw a young man sitting in the window with one foot in and one foot out. He was dressed with a coat, vest, pants and stockings. I could not see whether he had a hat on or not. I followed the firemen upstairs and went into the room of the defendant. The bedclothes on the bed on the side nearest 29th Street were just thrown over as if a person was going to bed, and the pillows were laying almost upright.

CROSS-EXAMINATION.

I was in the house altogether between 3 and 4 minutes. I did not see the defendant in the house. I drank a few glasses of beer that night.

JOHN S. FISHER, a witness for the People, sworn, testified:

I am a chief of batallion in the Fire Department. I went to this fire on February 3rd. I saw no fire on the door sill of the defendant's room. The fire which was inside the room was just blazing a little, it burned very slowly.

CHARLES TANFIELD, a witness for the People, sworn, testified:

I am connected with the Fire Patrol. I was in charge of the premises 50 East 29th Street for one hour after the fire on February 3rd. I looked at the bed in that room. I asked Mr. Fanshawe how the fire started; he said he was asleep in bed and either the fire or the smoke woke him up; that he got his clothes, sat on the window

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sill and dressed himself. The bed looked as though nobody could have slept in it; there were no wrinkles in it. The pillows did not look as though they had been lain upon.

CROSS-EXAMINATION.

I did not make a thorough examination of the bed. The duty of the fire patrol is to take charge of goods after a fire. When the trunk was brought up I put in a closet under the stairs.

JACOB FRANK, re-called.

I am the Assistant Fire Marshal. I went to the premises in question on the 3rd of February between 8 and 9 A. M. I cut a piece of charred flooring from the floor. I produce here the burned trunk, and the casing of the door. The diagram shows accurately the burning which was upon the floor. The door sill of the door leading from the hall into the defendant's room showed no evidence of fire. I also produced pieces of wood cut from the hall stairs. I examined the bed; it was smooth and even, and looked as if nobody had slept in it. I smelled something like alcohol on the stair carpet. I got a patrolman, procured a sieve, went into the room, swept the ashes together and sifted the debris. I found an enamelled shirt stud, a pocket knife and a cuff button. I found no diamond ring, or any other jewelry besides what I have mentioned.

Case adjourned until March 16th.



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New York, March 16th, 1891.

JACOB FRANK, re-called.

The premises in question are in the 21st Ward of the City of New York. From the window sill to the ground is 14 feet 5 inches.

CROSS-EXAMINATION.

The Fire Marshal arrived at about 11 o'clock. The casing of the door which I have produced, is the jamb part of the door entering from the passageway into the room of the defendant. The risers of the stairs were not sufficiently damaged to be cut out. I remember finding the remains of a burned wicker basket in the room.

STEPHEN D. ANDERSON, a witness for the people, sworn, testified:

I am the manager of the branch office of the Phoenix Insurance Company of Brooklyn. I produce an application for insurance dated January 30th, 1888. I also introduce a policy of insurance dated the 1st of January, 1888. Both are for household furniture and in the name of John M. Fanshawe.

CROSS-EXAMINATION.

It was another Mr. Anderson who applied for this insurance. A premium was paid on this policy.

WILTON N. ANDERSON, a witness for the People, sworn, testified:

In 1888 I was connected with the Knickerbocker Fire Insurance Company. During the time of my employment with that Company the defendant was a clerk there. At the request of the defendant on the 30th of January, 1888, I made application to the Phoenix Fire Insurance Company of Brooklyn for a policy of \$1,000. on his household effects, con-

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tained in the brick dwelling No. 50 East 29th Street. At the request of the defendant I had the policy dated back to the 1st of January.

**CROSS-EXAMINATION.**

At my suggestion the defendant divided \$2,000. between the Knickerbocker and the Phoenix Companies. The defendant got the Knickerbocker policy himself in the office.

JAMES W. STEPHENS, a witness for the People, sworn, testified:

I am special agent and adjuster of the Phoenix Insurance Company. I have had experience in fixing values. I went to the premises 50 East 29th Street a few days after the fire. Mr. Frank was present. I made a memorandum of the articles which the defendant claimed as lost, damaged and destroyed. I have not that memorandum with me. I have a copy of it which was made about the same time. The proof of loss presented by the defendant contained the following items: A lady's watch and chain, a cat's eye ring, a solitaire diamond ring, a pair of shoe trees, 2 pair of shoes, 1 pair of slippers, 1 dress suit, one violet pin, 1 clover leaf pin, and various other articles of wearing apparel. I examined the debris and found none of the articles of jewelry claimed to have been destroyed. \$261.25 represents the sound value of everything of which I could find a trace in that room.

**CROSS-EXAMINATION.**

The defendant wrote me a letter enclosing bills of goods which he claimed to own. There were bills from Brooks Brothers, from the Gorham Manufacturing Company, and

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from John Forsythe & Company. I did not verify those bills in any way. I have been in this line of business for 15 years and consider myself a judge of the value of articles.

GEORGE B. SHELDON, a witness for the People, sworn, testified:

I am the President of the Phoenix Insurance Company of Brooklyn. Mr. James M. Lyddy, counsel for the defendant, brought me an assignment of Mr. Fanshawe's claim on the policies of the Phoenix Insurance Company, and the Knickerbocker Company. I paid him \$350.00 in settlement of both claims.

CROSS-EXAMINATION.

It is a frequent occurrence that the amount claimed by the insured and the amount claimed by the insurance company differs very widely. We look at it from different standpoints. We generally estimate it less.

JAMES M. NUGENT, re-called.

The trunk was thrown out of the window. There was no tray or anything else in it at the time it was thrown out. After we had the fire pretty well extinguished I ordered it thrown out. I upset it on the floor first, took all the stuff out of it and hauled it over to see that there was no fire. The clothing in the bottom of the trunk was not on fire, but the clothing in the tray was; the clothing had been pulled out and was on the floor near the trunk

X WILLIAM SIMPSON, a witness for the People, sworn, testified:

I am a grocer at No. 50 East 29th Street. On the 3rd of February, 1888, at 8 o'clock in the morning I went



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upstairs into the defendant's room. The bed looked as if no one had slept in it for any length of time.

D E F E N S E.

CHARLES I. ROSKOPH, a witness for the defendant, sworn, testified:

I reside at No. 29 West 32nd Street. On the 3rd of February I lived at 49 East 29th Street with my family. That house is immediately opposite No. 50 East 29th Street. I heard the cry of fire, I jumped out of bed, raised the window, looked out and was attracted by a bright flame in a room directly across. I saw a young man in the window nearest to 4th Avenue; he was undressed. I heard somebody shout to the young man from the street, and then I shouted "Don't jump, wait a moment and I will be over there I put on my clothes and went across the street. Just as I got across the fire company drove up; I told them the fire was on the 29th Street side of the house. I went with the firemen to the door; they were going to break it in, but I told them it was not necessary. We tried to break it open but could not. It was then broken open by an axe We reached the room in which the fire was and the firemen soon gained control of it. A mirror glass which was in the room was cracked from the heat. I noticed several garments scattered around the room. The bed looked as if it had been slept in. I went down on the sidewalk and I saw the defendant walking around in his stocking feet I told him the fire was out and he had better go in his room. He left me to go up. At that time his appearance

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X was that of a man who was dazed and excited.

Cross-Examination suspended.

LIZZIE S. COURTNEY, a witness for the People, sworn, testified:

X In February, 1888, I was one of the tenants of No. 50 East 29th Street. I was on the fourth floor of that house. I was awakened by the cry of fire. I did not go down stairs until after the fire was out. I had a conversation with Miss VanDuser in the hearing of the defendant; I said to her "Where's the man that occupied this room?" She pointed out the defendant. I said "Where did he sleep last night?" she said "In that bed". I said "No one ever slept in that bed last night." The defendant said nothing. At about 8 o'clock in the morning I heard the defendant say "Miss VanDuser, I am very sorry for your loss, I wish I could do something for you". I said "Mr. Fanshawe, the only way you can do anything for Miss VanDuser is to make good what you have destroyed." He said to me "Do you mean to say that I fired the room?" I said "No, I don't mean to say that; but I mean to say that if the fire had occurred in my room, under the circumstances it has in yours, I should feel compelled to make some explanation or lie under a cloud. Where were you when the fire occurred?" He said "I was in bed". I said "What awoke you?" He said, "The heat". I said "Why didn't you give an alarm?" He said "The door was on fire and I couldn't get out". I then asked him why he did not knock on Miss Doughty's door, and he said he had not the strength to knock. I said "How is it that you were the only one of us, man or woman that was dressed, and you were so fully dressed?" He said "When I

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found the room was on fire I went to my old clothes, took my keys out of the pocket and got this suit of clothes from my trunk and put them on." I said "You had time to do all that and didn't have time to give an alarm?" He said nothing to that. The bed looked as if it had not been slept in. At the time I saw the defendant he was fully dressed.

CROSS-EXAMINATION.

It was 5 o'clock in the morning when I was in the defendant's room. I suppose I was in his room five or ten minutes, perhaps a little longer. I am not particularly interested in this case.

CHARLES I. ROSKOPH re-called.

CROSS-EXAMINATION.

I am a manufacturer of ventilators in Newark. Previous to that I was in the roof painting business in Providence, Rhode Island. I was also in business in Cleveland, Ohio, but failed. I was a lawyer at one time in Cleveland. I have lived at various places in this city; I do not owe any one for board in the city. At the last trial I was unable to identify the defendant. I can identify him now. I have read over my testimony given by me on the last trial. I do not remember seeing Mr. Doughty on the morning of the fire, nor can I recognize any of the firemen. I recognize Mr. Oehning as a gentleman whom I saw at the fire. I positively say that the bedclothes were turned down, that it appeared as though it had been slept in, and that the defendant was nervous and excited. I have been in Court in



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attendance on this trial since the start.

Case adjourned until March 17th.

New York, March 17th, 1891.

CHARLES MARCHAND, a witness for the defendant, sworn, testified:

I am a manufacturing chemist in this city. I have in this bottle some alcohol. The flame produced by alcohol is very light, and has a blue color. I am familiar with the character of Pond's Extract. It is not inflammable.

(The witness then made an experiment in Court showing that flame could pass over a piece of wood covered with alcohol without charring the wood).

WILLIAM RASQUIN, a witness for the defendant, sworn, testified:

I am a lawyer. On the 3rd of February, 1888, I met the defendant at 50 East 29th Street at half past seven in the evening. I made a minute examination of the premises. I found traces of fire in several places. I saw parts of clothing, and part of a centre table which was burned. The debris which I saw there could not be put in a pail. I observed the sill of the door. I found a space of about half an inch; the door did not come snug down to the sill. I examined the traces of fire in the hall and on the stairs. I was present at the examination of Mr. Fanshawe before the Fire Marshal, Mr. Sheldon.

(Fire Marshal Mitchell being called to the stand produced the examination just spoken of).

CROSS-EXAMINATION.

I am now in the employ of Mr. Robert Sewell. I am

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the gentleman who wrote a letter to a man in Montgomery, New York, stating that I could use my influence with the superintendent of insurance, my partner, Mr. Pierce. I was dismissed from the employ of the firm on that account. I looked at the bed in this room and there was an impression on the pillow as though it had been occupied.

WILLIAM M. LYDDY, a witness for the defendant, sworn, testified:

I am a lawyer in this city. Associated with my brother I was counsel for this defendant. A settlement was made on the policies for \$350.00.

PAULINE WILLIAMS, a witness for the defendant, sworn, testified:

I am a step-daughter of Mr. Charles Roskoph. I lived with him at No. 49 East 29th Street on the 3rd of February, 1888. I was awakened by him at the time of this fire. I saw Mr. Roskoph leave the room, and afterwards saw him on the opposite side of the street trying to get in the door. I heard him shout to some one not to jump. I afterwards saw him in the room opposite in which there was a blaze.

CROSS-EXAMINATION.

The room in which I was was on a level with the room opposite in which I saw the flames. It was curiosity which made me stay at the window. I could see my father's features in the room across the street by the light of the flame. I was subpoenaed to come to Court in this case by the counsel. This is the first time my attention has been called to this matter. I am not sure whether the firemen used an axe to get into that house or not.

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DeWITT C. WHEELER, Jr., re-called.

On the night of the fire I saw a man in the middle of the street. My recollection is that he came from a house opposite; we met in the street as I came from the fire box. I remember having a conversation with that man in which I told him I lived at the Gillsey House. I cannot identify Mr. Roskoph as the man I saw.

X HENRY E. FANSHAW, a witness for the defendant, sworn, testified:

I am a brother of the defendant. I have lived in New York for 27 years. I am connected with the Equity Gas Works Construction Company, at No. 120 Broadway. My brother's income with the Knickerbocker Fire Insurance Company was \$500. a year. I know of other sources of income that he had. I know of his receiving money from my father, and my mother. I have also given him money from time to time. In 1887 it was about \$5,000.; I will say that from the time I began giving him money to the time of the fire I gave him as much as \$15,000.

CROSS-EXAMINATION.

In 1886 I gave him \$2500.; in 1884 \$5,000.; in 1883 nothing less than \$5,000.; in 1884 \$5,000. At the time I was giving him this money I owed John Patterson & Company, the tailors, \$1,000. Judgments were obtained against me by Quincy W. Willington for \$5,000. -- that I paid -- by William T. Black for \$1400. -- that I paid -- by John M. Knox and others for \$336.00 -- by Charles Bradley for \$2953. and some others. Most of them have since been paid. All this time I was giving my brother \$5,000.



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a year. Some of these judgments are not just and I shall never pay them. In return for the money which I advanced to my brother he gave me his notes which he will pay when he receives his inheritance.

R E B U T T A L.

ELLEN R. VANDUSER, re-called.

X When the gas was lighted in Mr. Fanshawe's room I never could see a reflection of it under the door, it fitted so tightly; after the fire there was a space over the door so that I could see light. I never could see light under the door. The door opened and shut easily, but it fitted tightly.

BENJAMIN OEHNING, a witness for the defendant, sworn, testified:

X I have looked under the door leading to Mr. Fanshawe's room to see if there is any space between the lower part of the door and the door sill. There was not space enough to get a flat latch key through. The door fitted very tight. I am acquainted with Mr. Roskoph, having taken my meals at the same place with him for some time. I did not see him at the fire on the morning of February 3rd, 1888.

JAMES M. NUGENT, re-called.

X Mr. Roskoph did not go into the house with me at the time I broke open the door. He did not tell me that the fire was around on the other side, on 29th Street. I did not allow anybody in when I broke in the door.

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JAMES PEARL, re-called.

X  
On the night of the fire Mr. Roskoph did not help me to open the door. I did not see him present at the time we broke in the door with an axe.

FRANK B. DOUGHTY, re-called.

X  
I did not see Mr. Roskoph in the house on the night of the fire

FREDERICK BAGOE, a witness for the People, sworn, testified.

X  
I am a druggist at the corner of 29th Street and 4th Avenue. I know Mr. Roskoph. I have seen him several times. I saw him at the Arena Restaurant in 31st Street a short time ago in conversation with the defendant.

EDWARD VOGLE, a witness for the People, sworn, testified:

X  
I am a plumber and tinsmith, corner 28th Street and 6th Avenue. I know Mr. Roskoph very well. I would not believe him under oath.

CROSS-EXAMINATION.

I have had a dispute with them. I had some litigation with him. I know Messrs. Smith & Green of Broadway. I did not converse with them about the defendant's character for truth and veracity. A Mr. Brown of that firm told me that he did not think much of the man.

CHARLES I. ROSKOPH, re-called.

I heard the last witness testify. I had a little litigation with him resulting from a contract I had given him to do some work for me at Irvington on the Hudson. He failed in his undertaking, botched the work, and the result

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was he could not continue it; I had to finish it myself, and when we came to a settlement he wanted the whole amount of the contract. That I refused him, and he brought proceedings against me. He obtained a judgment. It has been my custom for seven or eight years to dine at Smith & Green's restaurant. I never heard either of those gentlemen say anything reflecting on my character for truth and veracity.

The jury returned a verdict of guilty of arson in the first degree, with a recommendation to the extreme mercy of the Court.

1901

NEW YORK, JULY 13TH

TO THE COURT OF GENERAL SESSIONS

JOHN H. D. WARDEN

PRISON

ALBANY, N. Y.

1901

COURT OF GENERAL SESSIONS

ALBANY, N. Y.



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ORIGINAL

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and when we came to a settlement he wanted the whole amount  
of the contract. That I refused him, and he brought pro-  
ceedings against me. He obtained a judgment. It has been  
my custom for seven or eight years to dine at Smith &  
Green's restaurant. I never heard either of those gentle-  
men say anything reflecting on my character for truth and  
veracity.

The jury returned a verdict of guilty of arson in  
the first degree, with a recommendation to the extreme mercy  
of the Court.

Indictment filed Feb. 23-1889

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

JOHN M. D. FANSHAW.

Abstract of testimony on  
trial New York, March 12th  
1891.

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C O P Y .

Hon. Theodore Roosevelt,  
Governor of the State of New York.

Sir:-

On the 12th day of May, 1891, Recorder Smyth, of New York, sentenced me to a term of twelve years and six months in prison on a charge of arson in the first degree; on the 28th of July, 1892, I entered upon the service of my imprisonment; the general commutation law of the state so shortens my term that I shall be discharged on July 12th proximo.

There has never been a criminal charge made against me other than that of which I stand convicted; and of which, permit me to here respectfully assert, I am wholly innocent though legally pronounced guilty.

My prison record is without blemish and such as proves me to be amenable to civil authority.

It is my purpose to enter into business, upon my discharge from prison, in the State of New York, where my friends and relatives reside; and I am confident that I shall be able to re-establish myself in the confidence and esteem of all with whom my life shall hereafter be associated.

I now petition your Excellency for clemency-- no matter how slight-- before the expiration of my term of sentence; and I further pray that your Excellency restore to me the rights and privileges of citizenship to the end that I may, after my discharge, be able to lead a good, a useful and an honorable life.

Respectfully,

(Signed). J. Fanshawe.

Sing Sing Prison, April 10th, 1900.

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*State of New York—Sing Sing Prison.*

*Addison Johnson, Warden.*

*Sing Sing, N. Y.* June 18th, 1900.

Hon. F. B. Smyth,  
Supreme Court,  
New York City.

Dear Sir:-

In response to your inquiry relative to the standing, while in this prison, of John M. D. Fanshawe, sentenced May 26th, 1891, to twelve years and six months imprisonment:

I beg to say that Fanshawe has been one of the exemplary inmates of this institution; his record has not a bad mark against it. His term expires July 12th proximo.

Yours very truly,

*Addison Johnson*  
Agent & Warden.



**POOR QUALITY  
ORIGINAL**

0171



STATE OF NEW YORK  
EXECUTIVE CHAMBER  
ALBANY

May 4, 1900

Sister M. Xavier,  
Convent of Mercy,  
1075 Madison Avenue,  
New York, N.Y.

Dear Madam:

Your letter of yesterday's date is received. Governor Roosevelt some months ago very carefully examined everything on file here relating to the case of John M. D. Fanshawe. Fanshawe claims that he is innocent and bases his appeal for clemency on that ground. The governor, however, has been unable after a careful consideration of all the evidence to satisfy himself that there is any reason whatever to question the finding of the jury. The evidence against Fanshawe was very strong although largely circumstantial and the circumstances which bore heaviest against him have never been satisfactorily explained; indeed have not been explained at all. The Governor has always felt that he could not consistently interfere in Fanshawe's behalf; that there is really no just ground for interference. It would probably be gratifying to Fanshawe's friends if he could receive a pardon a few days before the expiration of his term as that might be regarded as removing to some extent the disgrace consequent on his conviction and imprisonment, and the Governor would be very glad to do anything he could do consistently in that way; but such applications are

**POOR QUALITY  
ORIGINAL**

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S.M.X 2



STATE OF NEW YORK  
EXECUTIVE CHAMBER  
ALBANY

frequent and he feels compelled to deny them unless there is something in the circumstances really warranting favorable action. He is really unable to find anything of the kind in Fanshawe's case. As for restoration to citizenship that is never granted until after the prisoner's discharge and generally not until after a sufficient time has elapsed to show that he is not likely to get into further trouble.

Very respectfully,

*Wm J. Hoag*

Secretary to the Governor.

*Feb. 1*  
Supreme Court.  
State of New York.

The People of the State of New York .

Against

John . M. D. Fanshaw

2  
Upon all the papers, minutes and proceedings herein and upon the annexed affidavit of the defendant herein, let the plaintiff herein show cause before me or one of the Justices of this Court, sitting at a Special Term thereof, to be held at the Chambers thereof, in the County Court House in the City of New York, on the 25 day of May 1891, at eleven O'Clock in the forenoon of that day or as soon thereafter as counsel can be heard, why a Certificate of doubt should not be granted to the defendant herein, and why thereon a stay of all proceedings should not be granted upon the judgment of conviction and the sentence thereupon imposed, of the Court of General Sessions of the Peace, in and for the County of New York, heretofore rendered herein on the 26th day of May 1891, until the final hearing and determination of the Appeal therefrom taken herein, and why he should not have such other and further relief and order in the premises as to this Court may seem meet and just.

3  
And until the final hearing and determination of the motion under this Order to Show Cause let all proceedings whatsoever upon the part of the People herein, plaintiffs in this case, upon such Judgment of Conviction as aforesaid, be and the same are hereby stayed.

Sufficient reason appearing therefore service of this order



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on or before the <sup>26</sup> day of May 1891, shall be deemed sufficient.

Dated New York May 26 1891.

Wm T Lawrence  
JL

The argument upon the temporary stay granted herein is, with the consent of the District Attorney, hereby adjourned to May 28<sup>th</sup> 1891. Same time and place.

Stay meanwhile to avert is force.

Wm T Lawrence  
May 27 1891.

Wm T Lawrence

Supreme Court, of the State of New York.

The People of the State of New York.

Against

John M. D. Fanshaw.

City and County of New York SS.

John M.D. Fanshaw being duly sworn  
says, That he is the defendant herein. That he was heretofore  
indicted by the Grand Jury of this City and County for the  
Crime of Arson in the First degree, and by the terms of said  
indictment charged with the commission of such crime in set-  
ting fire to the dwelling, No 50 East 29th Street in the City  
of New York, on the morning of February 3rd. 1888.

That deponent was thereafter duly arraigned for trial there-  
on, and at the conclusion of such trial the jury disagreed and  
were discharged.

That thereafter and on the 11th day of March 1891, deponent  
was again arraigned for trial upon such indictment at the  
Court of General Sessions of the Peace in and for the City  
and County of New York, Honorable Frederick Smyth, presiding.  
That such trial occupied several days in the trial thereof,  
and on the 19th day of March 1891, the jury rendered a verdict  
of conviction.

That upon the 3rd day of April 1891, this deponent duly made  
a motion for a new trial upon the minutes of the testimony,  
the errors of law committed, and the exceptions thereto, and  
to the Rulings of the Court, duly taken in and during the cour-  
se of such trial by this deponent, through and by his counsel  
and said motion being there and then argued at length was  
taken into consideration by the Hon. Frederick Smyth, then and  
there presiding, as aforesaid until the 25th day of May 1891,

6 when the Said Mr Justice Smyth rendered his decision thereon denying the same, to which an exception was duly and properly taken by deponent.

That coincident with the motion for a new trial, a motion in arrest of Judgment was likewise made, and was similarly disposed of by such Justice, and an exception thereto was likewise taken.

That thereupon and upon the 26th day of May 1891, the said motions in arrest of Judgment and for a new trial having been disposed of by their denial, the judgment of the Court upon such conviction was duly passed upon this deponent, and he was sentenced to the States Prison, for the term of *twelve years and six months.*

7 That an Appeal to the General Term of the Supreme Court from such Judgment and Conviction has been duly taken herein, and is now pending.

That as deponent is informed and so believes the said judgment and conviction of this deponent is illegal, improper and invalid.

8 That great, grievous and fatal errors of law were committed, allowed and sustained by the learned justice presiding at such trial, during the course thereof, in the admission and rejection of testimony, the acceptance and rejection or exclusion of Jurors; and in the charge of the Court to the Jury upon the closing of the testimony herein, to the great, manifest and most serious detriment and injury of this deponent; and in the refusal to direct a verdict for the defendant, and the denial of the motion in arrest of judgment, and the refusal to grant a new trial as asked for by this deponent as aforesaid.

That deponent therefore asks for an order to show cause why



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a certificate of doubt should not be granted him herein, and why he should not have a stay of all proceedings upon such judgment pending the determination of such appeal, and why he should not have such other and further relief in the premises as to this Court may seem meet and just, and that a meanwhile stay be granted to him herein.

9 The reason why an order less than eight days is asked for is because a stay is desired.

That no other or previous application has been made for this order to any other court or judge.

Sworn to before me this

26 day of May 1891.

*John M. D. Tamm*  
Deputy Clerk  
Court of General Sessions

*John M. D. Tamm*  
H

The hearing of the within motion for a stay is hereby  
adjourned to June 1<sup>st</sup> 1891 at same hour & place, by  
Consent.

N.Y. May 28<sup>th</sup> 1891

For ordered

*M*

Francis L. Sullivan  
Ant. Dist. Atty

Thos. C. E. Ecclesine  
Charles W. Brooke  
of Counsel for deft.

N.Y. Supreme Court

The People of the State  
of New York

vs

John M. O'Hanlon

Original

Affidavit & Order to  
show Cause for stay &c

Thomas C. E. Ecclesine  
Charles W. Brooke  
of Counsel for deft  
No. 11 Broadway  
New York

~~The~~ Jurors admitted.

N.Y. May 26<sup>th</sup> 1891

Dea. L. J. J. J.

N.Y. Dist. Atty



## District Attorney's Office.

### PEOPLE

Chy. 1. Indictment.  
Dumas case decided that the  
 crime of the act consisting the  
 crime is  
 It does say that the intent  
 must be charged.

Whiting - Juries  
Hurtz - stronger circumstantial evidence  
 argued in grave of person.

Simpson - The best evidence to  
 not be if someone had left in it.

Photographs taken just  
 prior to last trial -

### IV. V. Requests -

Motive & intent not  
 the same.

## District Attorney's Office.

### PEOPLE

Nov 19 1914  
People vs. [illegible]  
Board of Marriage  
of [illegible]  
certificates of marriage  
of [illegible]  
to [illegible]  
by [illegible]  
asst. [illegible]  
Im [illegible]



POOR QUALITY  
ORIGINAL

0 188

THE COURT ROOM IS IN THE BROWN STONE BUILDING, AND FRONTING THE CITY HALL.

If this Subpoena be disobeyed, an attachment will immediately issue.

Bring this Subpoena with you, and give it to the officer at the Court-Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

**SUBPOENA.**—(DUCES TECUM.)

FOR A WITNESS TO ATTEND THE

Court of *Grand Sessions of the Peace*

The People of the State of New York,

To *Clerk of Bureau of Vital Statistics (Borough of Manhattan)*  
of No. *311 Madison* Street.

WE COMMAND YOU That all business and excuses ceasing, you appear in your proper person, before the Court of *Grand Sessions of the Peace*, to be holden in and for the City and County of New York, at the *Grand Sessions of the Peace* in the Park of the said City on the *fourteenth* day of *March* instant, at the hour of *eleven* in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

*John M. D. Gausshaw*  
in a case of felony, whereof he stands indicted, and that you bring with you and produce, at the time and place aforesaid, a certain *copy of the record of the*

*marriage of the said John M. D. Gausshaw*  
*for the past five (5) years, if any*

now in your custody and all other deeds, evidences and writings, which you have in your custody or power, concerning the premises. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. *Frederick S. Smith* Presiding Judge of  
our said Court, at the City Hall in our said City, the first Monday of *March*  
in the year of our Lord 188 *1*

*John C. Fellows*, District Attorney.

PART

Dec. 2, 1887  
Vol. 70, 5542

POOR QUALITY  
ORIGINAL

0 18 1

The People vs. *Ca*

Should the case not be called on for trial and no reason assigned in Court, please inquire in the District Attorney's Office about it, and you may save time.

If inconvenient for you to remain, and you prefer another day, state this early to the District Attorney, in the Court.

*John M. Fausk* If all, when served, please send timely word to the District Attorney's Office.

If you know of more testimony than was produced before the Magistrate, or if a fact which you think material ~~has been~~ brought out, please state the same to the District Attorney or one of his assistants.

STATE OF NEW YORK, }  
City and County of New York, } ss.

being duly sworn, deposes and says, he..... served a Subpoena, of which the within is a copy, upon.....

on the..... day of..... 188, by

Sworn to before me this..... }  
day of..... 188 }

Notary Public, N. Y. Co.

POOR QUALITY  
ORIGINAL

0182

PART III.

THE COURT ROOM IS IN THE FIRST STORY.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.  
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To Lizzie A. Courtenay  
of No. 100 W. 29<sup>th</sup> Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 18<sup>th</sup> day of MARCH 1891, at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

John Th. D. Granshane  
Dated at the City of New York, the first Monday of  
in the year of our Lord 1891.

MARCH MARCH  
DELANCEY NICOLL, District Attorney



POOR QUALITY  
ORIGINAL

0 183

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 M. D. Franshawe*

Affidavit of Service of Subpœna.

City and County of New York, ss.

*Jacob Frank* being duly  
sworn, deposes and says: I reside at No. *41 East 76<sup>th</sup> Street*  
Street, in the City of New York. I am a ~~subpœna server~~ *Assistant Fire Marshal* in the office of the District Attorney of the  
City and County of New York, and am over twenty-one years of age. On the *12<sup>th</sup>*  
day of *March* 188*8*, at *100 West 29<sup>th</sup> Street*  
in said city, I served a subpœna in the above-entitled action, of which a copy is hereto annexed, upon  
*Lizzie A. Courtenay* a witness in the said action, personally, by delivering the  
said subpœna to and leaving the same with the said *Lizzie A. Courtenay*  
in person, at the place aforesaid; and that I know the said *Lizzie A. Courtenay*  
so served as aforesaid, to be the person named and described in the said subpœna, as such witness.

Sworn to before me, this *13<sup>th</sup>*

day of *March*

188*8*

*John A. Maguire*

*Commissioner of Subpœna*

*Jacob Frank*

POOR QUALITY  
ORIGINAL

0184

Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

John M. D. Glavin

Offense: *Assault*

RANDOLPH B. MARTINE,

*Deputy* District Attorney.

Affidavit of Service of Subpoena by

*Jacob Frank*

*Subpoena Server*

Let an attachment  
issue  
Feb 13/91



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 M. D. Fanshawe

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

of the CRIME OF

committed as follows:

The said

John M. D. Fanshawe

late of the 21st Ward of the City of New York, in the County of New York aforesaid, on  
the third day of February in the year of our Lord one

thousand eight hundred and eighty-eight, at the Ward, City and County aforesaid,

with force and arms, in the night time of  
the said day, the dwelling house of one,  
Emily R. Van Duzer then and there sit-  
uate, there being then and there within  
the said dwelling house some human  
being to wit: the said Emily R. Van Duzer,  
one Frank B. Doughty and others, felon-  
ously, wilfully and maliciously did set  
on fire and burn, against the form of  
the Statute in such case made and pro-  
vided, 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  
John M. D. Fanshawe of the same  
Crime of Arson 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 M. D. Fanshawe

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

John M. D. Fanshawe  
of the CRIME OF Arson in the first degree  
committed as follows:

The said

John M. D. Fanshawe

late of the 21st Ward of the City of New York, in the County of New York aforesaid, on  
the third day of February in the year of our Lord one

thousand eight hundred and eighty-eight, at the Ward, City and County aforesaid,  
with force and arms, in the night time of  
the said day, the dwelling house of one,  
Emily R. Van Duzer then and there sit-  
uate, there being then and there within  
the said dwelling house some human  
being to wit: the said Emily R. Van Duzer,  
one Frank B. Doughty and others, felon-  
ously, wilfully and maliciously did set  
on fire and burn, against the form of  
the Statute in such case made and pro-  
vided, 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  
John M. D. Fanshawe of the same  
Crime of Arson in the first degree.

committed as follows;

The said John M. D. Fanshawe, late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms in the night-time of the said day the dwelling-house of one Frank B. Doughty, then and there situate, there being then and there within the said dwelling house, some human being, to wit: the said Frank B. Doughty, one Emily R. Van Duzer and others, feloniously wilfully and maliciously did set on fire and burn, against the form of the Statute in such case made and provided and against the peace of the People of the State of New York and their dignity.

John R. Fellows,  
District Attorney.

POOR QUALITY  
ORIGINAL

0188

Witnesses:

*Frederick Marshall Sheldon*  
*Frank B. Doughty*

Counsel,

Filed, *21* day of *July* 188*8*

Pleads,

THE PEOPLE,

vs.

*Arson in the first degree*  
Section 486, sub. 2, Penal Code.

*at*

*John M. D. Vanechaw*

*Ordered to the Court of  
Clerks and Remains for trial  
April 17/90*

JOHN R. FELLOWS,

RANDOLPH B. MARTINE,

District Attorney.

Ordered to the COURT of  
CLERKS and REMAINS  
for trial (Entered in  
minutes) 1889  
A True Bill

Ordered to the COURT of  
CLERKS and REMAINS  
for trial (Entered in  
minutes) 1889  
of the COUNTY NEW YORK,  
for trial (Entered in  
minutes) 1889



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 M. D. Fanshawe

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

of the CRIME OF

committed as follows:

The said

John M. D. Fanshawe  
late of the 21<sup>st</sup> Ward of the City of New York, in the County of New York aforesaid, on  
the third day of February in the year of our Lord one  
thousand eight hundred and eighty-eight, at the Ward, City and County aforesaid,

with force and arms, in the night time  
of the said day, the dwelling-house of one,  
Ellen R. Van Duzer then and there situate,  
there being then and there within the said  
dwelling house some human being to wit:  
the said Ellen R. Van Duzer, one Frank  
B. Doughty and others, feloniously, wilfully  
and maliciously did set on fire and burn  
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 John  
M. D. Fanshawe of the same crime of  
Arson in the first degree, committed as follows:

The said John M. D. Fanshawe, late of

the Ward, City and County aforesaid, after-  
wards, to wit: on the day and in the year  
aforesaid, ~~afterwards, to wit: on the day and~~  
~~in the year aforesaid,~~ at the Ward City and  
County aforesaid, with force and arms, in  
the night time of the said day, the dwell-  
ing house of one Frank B. Doughty, then  
and there situate, there being then and there  
within the said dwelling-house, some human  
being, to wit: the said Frank B. Doughty,  
one Ellen R. Van Orser and others, felon-  
iously, wilfully and maliciously did set  
on fire and burn, against the form of the  
Statute in such case made and provided  
and against the peace of the People of the  
State of New York and their dignity.

John R. Fellows,  
District Attorney.

0191

**BOX:**

296

**FOLDER:**

2815

**DESCRIPTION:**

Farrell, Edward

**DATE:**

02/07/88



2815



0192

**BOX:**

296

**FOLDER:**

2815

**DESCRIPTION:**

Fernandez, George

**DATE:**

02/07/88



2815

POOR QUALITY  
ORIGINAL

0193

No previous knowledge by police  
officer as to Farrell.

Witnesses:

off Grace  
off Rohle

Said for official

The People have no evidence  
in addition to what was  
submitted to the jury  
and in my judgment  
conviction could not be  
obtained. I consent that  
defendant be charged on  
his own recognizance

James Griffith  
Arch Deak Rhy

Counsel,

Filed

7 day of

Feb 1888

Pleads,

Chagnely (S)

THE PEOPLE  
vs  
Edward Farrell  
George Fernandez  
Burglary in the Third degree.  
[Section 498, 506, 522, 532, 550.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

No. 2. Part II March 16/88.

Indictment for conspiracy  
for conspiracy

Jefferson

Foreman.

No. 1. Part II February 10/88

Ready to testify

Elmira Ref. P.B.M.

No. 2. March 23/88

Defendant believed in his own recognition

POOR QUALITY  
ORIGINAL

0 194

Police Court—

District.

City and County } ss.:  
of New York,

of No. 340 Madison Street, aged 33 years,

occupation Store Keeper being duly sworn

deposes and says, that the premises No. 102 Monroe Street, 7th Ward

in the City and County aforesaid the said being a brick building, the

Basement of

~~which~~ which was occupied by deponent as a Store

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

Becker and  
were BURGLARIOUSLY entered by means of forcibly breaking open  
the rear door of said Basement and  
Store at about the hour of 11 1/2  
O'clock P.M.

on the 31<sup>st</sup> day of January 1888 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

fourteen Schae plates, one box of  
game of "Lotto", one box of check  
one box of fishing tackle and  
other property in all of the value  
of two dollars

the property of deponent who is a widow  
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

Edward Farrell and George  
Fernandes, both now here,

for the reasons following, to wit: that deponent kept a  
Store in the Basement of premises  
102 Monroe Street which was  
securely closed and fastened and  
said property was contained therein.  
that deponent is now here informed  
by officer James J. Becker that he  
said officer, saw said defendants  
come out of the front Basement



0 195

door of the store, at about the  
time of 11 o'clock 50 minutes on  
the night of said day, with the  
property aforesaid in their possession.  
That thereafter defendant found the  
back door of the warehouse or store  
broken open. That said property,  
which is now here shown, and  
which said officers found in the  
possession of the defendants is the  
stolen property aforesaid.

Sworn to before me this } Fannie X Cohen  
14th day of February 1888 }  
J. J. White }  
Police Justice

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

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

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

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—BURGLARY.

vs.

1  
2  
3  
4

Dated 1888

Magistrate.

Officer.

Clerk.

Witness.

No.

Street.

No.

Street.

No.

Street.

\$ to answer General Sessions.

POOR QUALITY  
ORIGINAL

0 196

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 31 years, occupation James J. Roker  
Police Officer of No.

7th Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Jamie Cohen

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

Sworn to before me, this 1st

day of February 1888

A. J. White

Police Justice.

James J. Roker

POOR QUALITY  
ORIGINAL

0197

Sec. 198-200

3 District Police Court.

CITY AND COUNTY  
OF NEW YORK ss.

*Edward Farrell* 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.

*Edward Farrell*

Question. How old are you?

Answer.

*21 years*

Question. Where were you born?

Answer,

*New York*

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

Answer.

*88 Monmouth St 4 years*

Question. What is your business or profession?

Answer,

*Truck Driver*

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

Answer.

*I don't know any  
thing about it  
Edward Farrell*

Taken before me this

day of

1938

Police Justice.



POOR QUALITY  
ORIGINAL

0198

Sec. 198-200

District Police Court.

CITY AND COUNTY  
OF NEW YORK.

ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer,

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

Answer.

Question. What is your business or profession?

Answer,

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

Answer.

Taken before me this

day of

1888

Police Justice.



POOR QUALITY  
ORIGINAL

0200

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward Farrell and  
George Fernandez

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

Edward Farrell and George Fernandez

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

The said Edward Farrell and George

Fernandez, both —

late of the Seventh Ward of the City of New York, in the County of  
New York, aforesaid, on the ~~thirtieth~~ day of January, in the year of  
our Lord one thousand eight hundred and eighty-eight, with force and arms, at the Ward,  
City and County aforesaid, a certain building there situate, to wit: the Store of one

Samuel Adam, —

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

Samuel Adam, —

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.



POOR QUALITY  
ORIGINAL

0201

SECOND COUNT—

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

*Edward Farrell and George Hernandez*  
of the CRIME OF *QXX* LARCENY, — committed as follows:

The said *Edward Farrell and George Hernandez* 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 the said day, with force and arms,

*fourteen dollars of the value of ten*  
*cents each, a certain game called*  
*"Solle" of the value of thirty cents, one*  
*box of cheddar of the value of thirty*  
*cents, and a quantity of feeding tackle*  
*of the value of thirty cents,*

of the goods, chattels and personal property of one *Fannie Edm.* —

in the *Store* of the said *Fannie Edm.* —

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.

POOR QUALITY  
ORIGINAL

0202

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said *Edward Farrell and George Fernandez* of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Edward Farrell and George Fernandez* —

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

*dozen of the value of ten cents each, a certain game called "Gotto" of the value of thirty cents, one box of shells of the value of thirty cents, and a quantity of fishing tackle of the value of thirty cents.*

of the goods, chattels and personal property of one *Fannie Polm.* —

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

unlawfully and unjustly, did feloniously receive and have; the said *Edward Farrell and George Fernandez*

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

JOHN R. FELLOWS,  
District Attorney.

0203

**BOX:**

296

**FOLDER:**

2815

**DESCRIPTION:**

Farrell, Thomas M.

**DATE:**

02/21/88



2815



POOR QUALITY  
ORIGINAL

0204

Counsel,

188

day of

Filed 21 day of Feb 1888  
Pleads Guilty (P.S.)

THE PEOPLE,

vs.

B

Thomas M. Farrell

Transferred to the Court of Sessions for trial and final disposal

Part of Page 188... 183...

JOHN R. FELLOWS  
RANDOLPH B. MARLINE,

District Attorney  
Put 1 Court 30. 01-11-88

A True Bill.

Wm. Woodard  
Foreman.

WITNESSES:

Off. Magistrate

THE COURT OF SESSIONS OF THE CITY AND COUNTY OF NEW YORK

Violation of Excise Law.  
[III Rev. Stat. (7th Edition), page 1983, Sec. 21, and page 1989, Sec. 5.]

**POOR QUALITY  
ORIGINAL**

0205

## Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*Plaintiffs*

*against*

*Thomas M. Farrell*  
*Defendant.*

The Grand Jury of the City and County of New York, by this indictment, accuse the above named defendant of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows :

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *fifth* day of *February* in the year of our Lord one thousand eight hundred and eighty-*eight* at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, 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 as a beverage to one

*Peter Nugent*

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.

SECOND COUNT :

And the Grand Jury aforesaid, by this indictment, further accuse the said defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said defendant, late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

*John R. Bellows*  
**RANDOLPH B. MARTINE,**

District Attorney.

0206

**BOX:**

296

**FOLDER:**

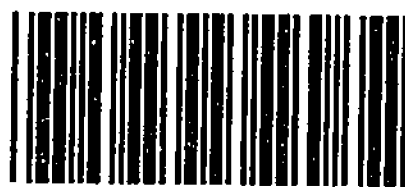
2815

**DESCRIPTION:**

Farrington, William Leonard

**DATE:**

02/15/88



2815



0207

**BOX:**

296

**FOLDER:**

2815

**DESCRIPTION:**

Farrington, Minnie G.

**DATE:**

02/15/88



2815

0208

George Henry  
off. Healy

April 16/88.

Forced by  
George Romney at

2500 - no  
This Indictment  
was found in 1888  
after diligent  
effort to find an  
applicant & not  
learning anything  
of his whereabouts -  
ask that the report  
be discharged on his  
own recognizance  
Feb 1900 J. S. L. B.  
G. D. L.

Feb 1861 43 4.5.0. 2.8.0.

10

Filed 13 day of Feb'y 1888  
Pleads, Chz. 11

THE PEOPLE

THE PEOPLE  
have affts. for comfort  
vs.

William Leonard Tarrington

and  
Ninny Harrington

JOHN R. FELLOWS  
Feb 20 57  
reference 2138  
District Attorney.

I received your letter of May 29/08.  
 Frank sends you love.  
 Always  
 Bill

# A True Bill

*Freeman.*

Dr. C. P. Atwood, 924

100

Robert D. Clark

100

POOR QUALITY  
ORIGINAL

0209

DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF  
GENERAL SESSIONS.

In the Name of the People of the State of New York.

To George Deane  
of No. 175 W. 64th Street.

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 10th day of 1893 at the hour of 10 1/2 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Wm. Farrington et al  
Dated at the City of New York, the first Monday of  
in the year of our Lord 1893

DE LANCEY NICOLL, District Attorney.

Ask to see Mr. Deane  
At 11 1/2 o'clock A.M.  
In the witness room



**POOR QUALITY  
ORIGINAL**

02 10

The Grand Jury calls witnesses in whatever order its Foreman pleases. The Foreman knows best for the public good. If you wait patiently on the day of attendance until your turn comes, it may save you waiting hereafter.

If it is very inconvenient for you to attend on the day designated, let the District Attorney's Officer or Clerk in the witness room know this at an early moment.

If you do not obey this Subpoena, or do not explain your absence, the Court will enforce your attendance by attachment, and fine you.

If you are ill when served, send timely notice of that fact to the District Attorney.

If other witnesses in this case are called, and another case taken up, you may know—unless otherwise advised—that the Grand Jury do not care to examine you; and you may then retire, mentioning your withdrawal to the officer or clerk.

If the Grand Jury adjourn, and you have not been called without explanation, inquire of the Chief Clerk in the District Attorney's office, if you are wanted again and when.

No one in the house  
of that name tried  
1917 found no one who  
knew nothing of the case

POOR QUALITY  
ORIGINAL

0211

Court of General Sessions.

THE PEOPLE

vs.

Wm Farrington et al

City and County of New York, ss:

Joas. H. Shannon being duly  
sworn, deposes and says: I reside at No. 217 Mulberry  
Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the  
City and County of New York. On the 9<sup>th</sup> day of Feb. 1893,  
I called at 175 West 64<sup>th</sup> St.

the alleged residence of George Heane  
the complainant herein, to serve him with the annexed subpoena, and was informed by the

people in the house that no man  
of that name lived there, but at  
171 W. 64<sup>th</sup> there I found a man  
by the name of Wm. Dean, who  
said he knew nothing about the  
case & knew no one by the name of  
Geo. Heane.

Sworn to before me, this

of

February

13<sup>th</sup>

day

1893

Joas. H. Shannon  
Subpoena Server.  
H. W. Thirte  
Com. of deeds  
N.Y. Co.

POOR QUALITY  
ORIGINAL

02 12

Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

Wm Farrington et al.

Offence:

~~Common Pleas~~  
Defence Given District Attorney.

Affidavit of

Jas. H. Shannon

Subpoena Server.

Failure to Find Witness.



POOR QUALITY  
ORIGINAL

02 13

*District Attorney's Office  
City & County of  
New York*

*John G. P. Redford*

*Rec'd  
9  
1882*

POOR QUALITY  
ORIGINAL

0214

District Attorney's Office,  
City & County of  
New York. Feb 8-1893

Dear Judge -  
On account of a previous  
appointment, was unable  
to call here this a.m.

Sorry to find your visit  
there. The case of the Rev. J. Fanning  
was tried. Long ago I  
knew you, after work about  
it. I hardly remember that  
they failed to pay my fee  
I have ~~never~~ <sup>never</sup> ~~heard~~ <sup>heard</sup> of his death  
since the trial.

Sincerely yours  
Jas M. Brady

Court of General Sessions.

The People vs:

vs:

William L. Farrington  
Minnie Farrington,

Sir:

Please take notice  
that I will move in part III.  
of the Court of General Sessions  
for the reduction of bail in  
the case of Minnie Farrington.

James M. Brady  
Counselor for Def.  
280 Broadway  
N.Y.C.

To

Hon John R. Fellows.  
District Attorney.  
N.Y.C.



POOR QUALITY  
ORIGINAL

02 16

Case of General Sessions

The People

vs.

William L. Farrington  
Minors Farrington

Notice of Motion

James M. Daily  
Counselor for self,  
2 So. Broadway.  
N.Y.C.

To Hon. John R. Sullivan  
District Attorney  
N.Y.C.

POOR QUALITY  
ORIGINAL

0217

Form No. 1.

# THE WESTERN UNION TELEGRAPH COMPANY.

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after sending the message.

This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.

THOS. T. ECKERT, General Manager.

NORVIN GREEN, President.

NUMBER	SENT BY	REC'D BY	CHECK
23	Ca	En	35 ps 45-7 En

Received at the WESTERN UNION BUILDING, 195 Broadway, N. Y. Mar 13 1888.

Dated 985-8 Ave N.Y. 12

To District Atty City Hall  
N.Y.

Case of deane agst wm L. Farrington please  
adjourn as I can not get to court on acc  
of the weather no trains running case on  
for today  
Geo Deane  
175 W 64 St



POOR QUALITY  
ORIGINAL

0218

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT—FOURTH DISTRICT.

George Deane -  
of No. 175 West 64<sup>th</sup> Street, age 33 - Broker -  
being duly sworn, deposes and saith, that on the 11<sup>th</sup> day of February,  
1898, at the 22<sup>nd</sup> Ward of the City of New York, in the

County of New York, was feloniously taken, stolen, and carried away, from the person of deponent,  
by force and violence, without his consent and against his will, the following property, viz:

Good and lawful money  
of the United States issue  
to the amount of ~~seven~~

of the value of Seven Dollars,

the property of Deponent

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

William Harrington & Minnie  
Harrington (both unknown) from the fact  
that on or about the 10<sup>th</sup> of Feb. P.M. on said  
date deponent entered the premises  
No. 357 West 52<sup>nd</sup> Street occupied by -  
the said deponents to visit a woman -  
in said premises, that on entering said  
premises deponent was informed by the  
said Minnie that the woman deponent  
was looking for had removed from  
said premises, deponent then started  
to leave said premises. That deponent

Sworn to before me this

Police Justice



was then induced to remain in said premises  
by the said Minnie for the purpose of prostitution  
Dependent. Went to bed. With the said  
Minnie, in about ten minutes afterwards  
the door of the room was broken in  
by the said William Harrington who  
rushed at dependent. Shook dependent  
on the head with his clenched hand  
and demanded dependent to get  
up - Dependent then informed the said  
William Harrington that he only had  
seven dollars. The said William  
Harrington then demanded dependent  
to shell out. Dependent being in great  
fear of further bodily harm at the hands  
of the said William Harrington gave to the  
said William the said sum of  
money - Dependent therefore charges  
that the said Minnie was acting in  
conceal with the said William in ~~inducing~~  
inducing dependent to remain in  
said premises for the purpose of  
aiding the said William to feloniously  
assault and steal dependent's money  
and pray that they may be held to  
answer the same.  
Given to be true me  
This 12<sup>th</sup> day of February 1881 Geo. Deane

Police Court—Fourth District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT—Robbery.

187

Dated

Magistrate.

Clerk.

Wm. V. Deane  
Police Justice

WITNESSES:

POOR QUALITY  
ORIGINAL

0220

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*William Farrington*

Question. How old are you?

Answer.

*40 Years -*

Question. Where were you born?

Answer.

*New York.*

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

Answer.

*357 West 2 St 2 months*

Question. What is your business or profession?

Answer.

*Boarding house keeper*

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

Answer.

*I am not guilty of the  
Charge*  
*W. Leonard Farrington*

Taken before me this

day of *March* 188*8*

Police Justice.

POOR QUALITY  
ORIGINAL

0221

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss.

4 District Police Court.

*Minnie Harrington*

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

Question. What is your name?

Answer. *Minnie Harrington*

Question. How old are you?

Answer. *33 Years -*

Question. Where were you born?

Answer. *Bridgeport Conn -*

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

Answer. *357 West 52 Street - 2 months*

Question. What is your business or profession?

Answer. *Dance*

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

Answer. *I am not guilty*

*Minnie S Harrington*

Taken before me this

day of

*M. J. Harrington*

Police Justice.



POOR QUALITY  
ORIGINAL

0222

Bond renewed April 15<sup>th</sup> 1888  
amount increased to \$2500, each

BAILED,

No. 1, by *Edmund Charles*

Residence *365 West 54<sup>th</sup> St.*

No. 2, by *James Bonemann*

Residence *" residence Street*

No. 3, by *Said notice for bond*

Residence *" residence Street*

No. 4, by *Car of W. J. G. H.*

Residence *111. Broadway*

*one to Jacob H. K. K.*  
*Colonel.*

*123* No. *195* *252*  
Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*George J. K. K.*

*William J. K. K.*

*Municipal Court*

*Offence*

*Offence*

*Offence*

*Offence*

*Offence*

*Offence*

*Offence*

*Offence*

*Offence*

*Offence*

*Offence*

*Offence*

*Offence*

*Offence*

*Offence*

*Offence*

*Offence*

*Offence*

*Offence*

*Offence*

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

*William Harrington & Annie Harrington*

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

Dated *February 12* 188*8*. *W. J. K. K.* Police Justice.

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

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

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

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

POOR QUALITY  
ORIGINAL

0223

# 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 Leonard Farnington*  
and *Minnie F. Farnington*

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

*William Leonard Farnington* and  
*Minnie F. Farnington*

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

The said *William Leonard Farnington*  
and *Minnie F. Farnington*, all —

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

*one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as  
United States Treasury notes), of the denomination and value of *Five* dollars — ; *one*  
promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes),  
of the denomination and value of *Five* dollars — ; *one* United States Silver  
Certificate of the denomination and value of *Five* dollars — ; *one* United States  
Gold Certificate of the denomination and value of *Five* dollars — ;

*Two* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as  
United States Treasury notes), of the denomination and value of *one* dollar each ; *Two*  
promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes),  
of the denomination and value of *one* dollar each ; *Two* United States Silver  
Certificates of the denomination and value of *one* dollar each, and *Two* United States  
Gold Certificates of the denomination and value of *one* dollar each ;

of the goods, chattels and personal property of the said *George Deane*,  
from the person of the said *George Deane*, against the will,  
and by violence to the person of the said *George Deane*, and by putting him  
in fear of some immediate injury to his person, —  
then and there violently and feloniously did rob, steal, take and carry away, (each of

*them* the said *William Leonard Farnington*  
and *Minnie F. Farnington* being then and  
there aided by an accomplice actually  
present, to wit : each by the other) —

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

*John R. H. Jones,*  
*District Attorney*

0224

**BOX:**

296

**FOLDER:**

2815

**DESCRIPTION:**

Finnigan, James

**DATE:**

02/13/88



2815



POOR QUALITY  
ORIGINAL

0225

WITNESSES:

*off Powers*

Upon examination of the testimony herein,  
myself, I consider it in-  
sufficient for the sustaining  
of the indictment, & I ac-  
cordingly recommend the discharge  
thereof.

*Feb 10 1883. H. B. Barker  
Deputy District Attorney*

Counsel,

Filed *13* day of *Feb*

188*3*

Pleas

*Guilty*

THE PEOPLE,

vs

*B*

*James Finnigan*

Violation of Excise Law.

(Bellington Sunday Law.)  
[III Rev. Stat. (7th Edition), page 1983, Sec. 21, and  
page 1989, Sec. 5.]

*13716* JOHN R. FELLOWS.

RANDOLPH B. MARINE,

*Feb 10 1883* District Attorney

A True Bill.

*G. J. Stever*  
Foreman.  
On recommendation of  
District Attorney, indict. dis.  
*P. B. Sk.*

POOR QUALITY  
ORIGINAL

0226

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK.

70 District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty, and  
I demand a trial  
by jury James O'Higgins*

Taken before me this

1881

Police Justice.

POOR QUALITY  
ORIGINAL

0227

Excise Violation-Selling on Sunday.

POLICE COURT

DISTRICT.

City and County } ss.  
of New York,

of No.

The *Franklin E. Powers*  
*St. Greener Police* Street  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the *15th* day

of *January* 188*8*, in the City of New York, in the County of New York,

at premises No. *49 Grand* Street,

*James Finnigan* (now here)

did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said *James Finnigan*  
may be arrested and dealt with according to law.

Sworn to before me, this *16* day  
of *January* 188*8*

*Franklin E. Powers*  
Police Justice.



POOR QUALITY  
ORIGINAL

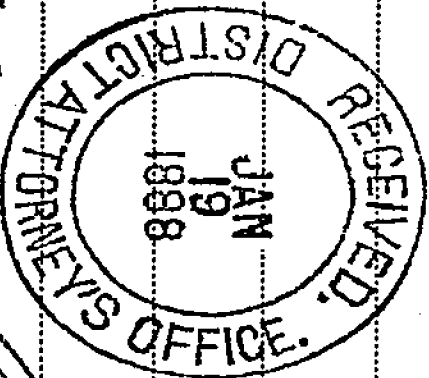
0228

BAILLED,  
No. 1, by James C. Sullivan & Charles  
Residence 12 Grand Street  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court District 111

THE PEOPLE, v. c.,  
ON THE COMPLAINT OF

Dated Jan 10 - 1888  
Magistrate White  
Officer Conroy  
Precinct \_\_\_\_\_  
Witnesses \_\_\_\_\_  
No. \_\_\_\_\_ Street \_\_\_\_\_  
No. \_\_\_\_\_ Street \_\_\_\_\_  
No. \_\_\_\_\_ Street \_\_\_\_\_  
to answer \_\_\_\_\_  
\$ 1000



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 Charles

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of One 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 Jan 10 1888 A. J. White Police Justice.

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

Dated Jan 16 1888 A. J. White 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 \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0229

## Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*Plaintiffs*

*against*

*James Fanning*  
*Defendant.*

The Grand Jury of the City and County of New York, by this indictment, accuse the above named defendant of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows :

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight* at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, 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 as a beverage to one

*Franklin E. Powers*

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.

### SECOND COUNT :

And the Grand Jury aforesaid, by this indictment, further accuse the said defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said defendant, late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

*John R. Fellows*  
~~RANDOLPH B. MARTINE,~~

District Attorney.

0230

**BOX:**

296

**FOLDER:**

2815

**DESCRIPTION:**

Fioto, Nicolo

**DATE:**

02/06/88



2815



Witnesses:

Geo Higgins  
Joff Smith

Recognized  
deeply he describes  
in his own  
recognition  
because couple  
many cannot

he found  
Andrew H. H. H. H.  
D. A. D. A.

Wetzel

Counsel,

Filed day of

Pleas

188

THE PEOPLE

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

Nicola Fisto

JOHN R. FELLOWS,  
RANDOLPH B. MARTINE,

District Attorney.

March 20  
Part II March 21/88

A True Bill.  
Sept. dis charged in his own recogni-

Glynn Foreman.

Feb 15 Part I  
Feb 23 Part I

POOR QUALITY  
ORIGINAL

0232

Police Court—<sup>56</sup> District.

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

of No. 30 Cole Street Brooklyn James Higgins aged 22 years,  
occupation Deck hand - Steamboat being duly sworn  
deposes and says, that on 15th day of January 1888 at the City of New  
York, in the County of New York,

~~was~~ violently and feloniously ASSAULTED and BEATEN by

Marlo Fiolo nowhere who did  
wilfully and maliciously make  
two thrusts of a knife at the  
body of deponent cutting deponents  
coat and pantaloons and said  
assault was committed

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without  
any justification on the part of the said assailant

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

Sworn to before me, this 15th day

of January 1888

W. J. Gower  
Police Justice

POOR QUALITY  
ORIGINAL

0233

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, { SS

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

Question. What is your name?

Answer.

*Nicola Finto*

Question. How old are you?

Answer.

*21 years*

Question. Where were you born?

Answer.

*Italy*

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

Answer.

*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*  
*Nicola Finto*  
*Emanc*

Taken before me this

day of

188

Police Justice.



POOR QUALITY  
ORIGINAL

0234

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

Police Court—  
District.

THE PEOPLE & C. C. C.  
ON THE COMPLAINT OF

*Charles Higgins*  
*202 02 11 11 11 11*  
*Mark Street*

Offence *Robbery*  
*Assault*

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

Magistrate.

Officer.

Precept.

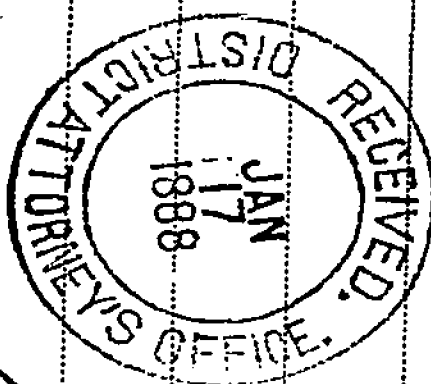
Witnesses

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

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

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

\$ \_\_\_\_\_  
to answer



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

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

Dated *Jan 10* 188 \_\_\_\_\_ Police Justice.

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

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

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

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

POOR QUALITY  
ORIGINAL

0235

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

THE PEOPLE OF STATE OF NEW YORK,  
against

*Nicola Xisto*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Nicola Xisto*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Nicola Xisto*.

late of the City of New York, in the County of New York aforesaid, on the  
*25th* day of *January*, in the year of our Lord  
one thousand eight hundred and eighty *eight*, with force and arms, at the City and  
County aforesaid, in and upon the body of one *James Shiggins*.  
in the peace of the said People then and there being, feloniously did make an assault,  
and *in* the said *James Shiggins*.  
with a certain *knife*  
which the said *Nicola Xisto*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon then and there wilfully and feloniously did, *attempt to* cut, stab and wound,

with intent *in* the said *James Shiggins*.  
thereby then and there feloniously and wilfully to kill, against the form of the statute  
in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

SECOND COUNT;

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Nicola Xisto*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Nicola Xisto*.

late of the City and County aforesaid, afterwards, to wit: on the day and in the  
year aforesaid, at the City and County aforesaid, with force and arms, in and  
upon the body of the said *James Shiggins*.  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault, and *in* the said

with a certain *knife*  
which the said *Nicola Xisto*

in *his* right hand then and there had and held, the same being  
an instrument and weapon likely to produce grievous bodily harm, then and there  
feloniously did wilfully and wrongfully *attempt to* cut, stab and wound, against the form of the  
statute in such case made and provided, and against the peace of the People of the State  
of New York and their dignity.

*John A. Xisto*  
*District Attorney*

0236

**BOX:**

296

**FOLDER:**

2815

**DESCRIPTION:**

Fleming, Joseph

**DATE:**

02/15/88



2815



0237

**BOX:**

296

**FOLDER:**

2815

**DESCRIPTION:**

Ratigan, James

**DATE:**

02/15/88



2815

0238

**BOX:**

296

**FOLDER:**

2815

**DESCRIPTION:**

Fitzpatrick, John

**DATE:**

02/15/88



2815

Witnesses:

Officer Dool

I have made a careful examination of the written case. The witnesses Michael Bond is dead and Officer Roberts tells me he arrested Bond. I make the arrest but that he did not see the defendant do anything to the complainant. The complainant was too drunk to know any thing himself about the larceny. In any case it would be impossible to secure a conviction with the evidence at the command of the people. I respectfully recommend that the defendant be discharged upon their own recognizances. April 9/90. Part 3.

Wm. Travers Jerome  
Dep. Asst.

Grand Larceny in the 1st degree.  
(MONEY.)  
(Sec. 528 and 530, Penal Code.)

THE PEOPLE

vs.

Joseph Fleming  
James Raligan  
John Fitzpatrick

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. Travers Jerome  
Foreman.  
On recognizance. All  
all depts. discharged. On  
this ~~their~~ own recognizance  
Bail discharged / B.M.J.

Counsel, 2/17/1888  
Filed 15 May of 1888  
Pleads Chazy (17)

POOR QUALITY  
ORIGINAL

0239



POOR QUALITY  
ORIGINAL

0240

Police Court—

2

District.

Affidavit—Larceny.

City and County  
of New York, ss.

Jerome H. Bullock  
of No. Gilsey House Street, aged 70 years,  
occupation Seignior being duly sworn

deposes and says, that on the 6 day of February 1888 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
and from of deponent, in the night time, the following property viz:

Thirty dollars  
in good and lawful money of the  
United States

(\$ 30)

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 Joseph Fleming, James Radigan  
and John Fitzpatrick (micro here) for  
the reason that on said date deponent  
had been drinking and fell in the  
street, the defendants assisted deponent  
to rise and deponent went with  
them to the liquor saloon at the north  
west corner of Sixteenth street and  
Seventh Avenue and deponent there  
showed his money in the act of treating  
the defendants. Deponent felt some  
one fumbling in his pockets, and deponent  
is informed by Policemen John  
Roberts and Michael Bond, of the  
Sixteenth Precinct, that they were  
waiting from an adjoining room and

Sworn to before me, this

1888

Police Justice.

POOR QUALITY  
ORIGINAL

0241

that they both saw the defendants  
Radigan and Fitzpatrick with their  
hands in Depovent's pockets, the defendant  
Fleming at the same time standing by  
and attracting Depovent's attention; and  
that the said Radigan actually took  
some pieces of silver from Depovent's  
pocket while the said officer was  
watching. Depovent therefore asks  
that the defendants be dealt with  
as the law directs.

Moved to before me this 7<sup>th</sup>  
day of February 1885  
J. H. White  
Judge Justice

James H. White

POOR QUALITY  
ORIGINAL

0242

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Joseph Fleming* 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.

*Joseph Fleming*

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.

*444 W. 26 St. 3 years*

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*

*Joseph Fleming*

Taken before me this

day of

*Michael J. [Signature]*  
1898

Police Justice.



POOR QUALITY  
ORIGINAL

0243

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James Radigan* being duly examined before the undersigned, 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 Radigan*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer,

*U. S.*

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

Answer.

*257 W. 19th, 5 years*

Question. What is your business or profession?

Answer,

*Lumber carrier*

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*

*James Radigan*

Taken before me this

day of

*Robert J. [Signature]*  
1888

Police Justice.

POOR QUALITY  
ORIGINAL

0244

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY  
OF NEW YORK.

*John Fitzpatrick* being duly examined before the undersigned, 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.

*John Fitzpatrick*

Question. How old are you?

Answer.

*19 years*

Question. Where were you born?

Answer,

*England*

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

Answer.

*142 7th Avenue*

Question. What is your business or profession?

Answer,

*Labour*

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 Fitzpatrick*

Taken before me this

day of

188

Police Justice.





**POOR QUALITY  
ORIGINAL**

0246

-----X  
The people &c.

vs.

Joseph Fleming, James Ratigan and  
John Fitzpatrick.

-----X  
City and County of New York, SS.:

Jerome H. Bullock being duly sworn deposes and says  
as follows:- That on Monday evening February 6th, 1888,  
I had fifty dollars in my possession. I went into Hillen's  
saloon, corner of Sixth Avenue and 14th Street this city.  
I took a drink there, having prior to that time taken many  
drinks, so that when I went out of there I was under the  
influence of liquor, and was not responsible for my  
actions. I was accosted by an officer subsequently in  
Reilly's saloon, 16th Street and Seventh Avenue - a strange  
place-- I remember stumbling and falling, and two men pick-  
ing me up. I then invited every-one in the place to have  
a drink. Then an officer came in and said that one of the  
men was robbing me. I looked in my pocket and found that  
I only had some silver left; my bills were gone. I am  
sure I lost my money between Hillen's and Reilly's. I do  
not believe I lost it in Reilly's, as the defendants were  
searched by the officer, and but one piece of silver was  
found in their possession. I told the officer going down  
from the Station House to Jefferson Market, that I did  
not believe the boys had robbed me, as he certainly would  
have found the money in their possession. He told me that

POOR QUALITY  
ORIGINAL

0247

if I did not make a complaint, he would. I said I did not  
want to wrong the boys. I do not remember anything which  
took place between the time I left Hillen's place and the  
time that I arrived at Reilly's, *which was about 4 hours.*

Sworn to before me this

3rd day of April, 1888.

*J. H. Bulluck*  
*W. H. Von Schickel*  
*Notary Public (46)*  
*N. Y. Co.*

POOR QUALITY  
ORIGINAL

0248

CITY AND COUNTY }  
OF NEW YORK, } ss.

John Roberts  
aged 30 years, occupation Policeman of No.

16th Precinct Police Street, being duly sworn deposes and

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

Sworn to before me, this

day of

188

John Roberts

A. J. White

Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Michael Dorod  
aged 28 years, occupation Policeman of No.

16th Precinct Street, being duly sworn deposes and

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

Sworn to before me, this

day of

188

Michael Dorod

A. J. White

Police Justice.



POOR QUALITY  
ORIGINAL

0249

THE PEOPLE OF THE STATE OF  
NEW YORK,

against

*Joseph Fleming*  
*et al.*

*officers*

JOHN R. FELLOWS,

DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,

NEW YORK CITY

POOR QUALITY  
ORIGINAL

0250

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Joseph Benjamin, James  
Bridges and John F. Lippincott*

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

*Joseph Benjamin, James Bridges and John F. Lippincott*  
of the crime of GRAND LARCENY IN THE *First* DEGREE, committed as follows:

The said *Joseph Benjamin, James Bridges  
and John F. Lippincott, all*

late of the City of New York, in the County of New York, aforesaid, on the *sixth*  
day of *February*, in the year of our Lord one thousand eight hundred and eighty-*eight*,  
at the City and County aforesaid, with force and arms, in the — *night* — time of  
the same day, *one* promissory note for the payment of money, being then  
and there due and unsatisfied (and of the kind known as United States Treasury notes), of  
the denomination of twenty dollars, and of the value of twenty dollars — ;

*Three* promissory notes for the payment of money, being then and there due and  
unsatisfied (and of the kind known as United States Treasury notes), of the denomination of  
ten dollars, and of the value of ten dollars *each* ; *six* promissory notes for the  
payment of money, being then and there due and unsatisfied (and of the kind known as United States  
Treasury notes), of the denomination of five dollars, and of the value of five dollars *each* ;

*fifteen* promissory notes for the payment of money, being then and there due and unsatisfied  
(and of the kind known as United States Treasury notes), of the denomination of two dollars, and  
of the value of two dollars *each* ; *twenty* promissory notes for the payment  
of money, being then and there due and unsatisfied (and of the kind known as United States Treasury  
notes), of the denomination of one dollar, and of the value of one dollar *each* ;

*one* promissory note for the payment of money (and of the kind known as bank notes),  
being then and there due and unsatisfied, of the value of twenty dollars — ; *three*  
promissory notes for the payment of money (and of the kind known as bank notes), being then and  
there due and unsatisfied, of the value of ten dollars *each* ; *six* promissory notes for the  
payment of money (and of the kind known as bank notes), being then and there due and unsatisfied,  
of the value of five dollars *each* ; *one* United States Silver Certificate of the

POOR QUALITY  
ORIGINAL

0251

denomination and value of twenty dollars        ; Three United States Silver  
Certificates of the denomination and value of ten dollars each ; six United  
States Silver Certificates of the denomination and value of five dollars each ; thirteen  
United States Silver Certificates of the denomination and value of two dollars each ;  
thirty United States Silver Certificates of the denomination and value of one dollar  
each ; one United States Gold Certificate of the denomination and value of  
twenty dollars        ; three United States Gold Certificates of the denomination  
and value of ten dollars each ; six United States Gold Certificates of the  
denomination and value of five dollars each ; and divers coins, of a number, kind and  
denomination to the Grand Jury aforesaid unknown, of the value of thirty dollars.

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

JOHN R. FELLOWS,  
District Attorney.



0252

**BOX:**

296

**FOLDER:**

2815

**DESCRIPTION:**

Florence, Joseph

**DATE:**

02/20/88



2815

POOR QUALITY  
ORIGINAL

0253

No 325

Counsel,  
Filed 20 day of July 1888  
Pleads,

Witnesses:  
J.P. Clark  
U.C. Larr.

THE PEOPLE  
vs.  
Joseph Lawrence  
Burglary in the Third degree.  
and Petit Larceny.  
[Section 498, 506, 528 & 532.]

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

Wm Woodruff  
Foreman.  
July 21/88.  
Heard Perry Eley  
S.P. 1 1/2 yds.

POOR QUALITY  
ORIGINAL

0254

Police Court— District.

City and County } ss.:  
of New York,

of No. 158 Greenwich Street, aged 37 years,  
occupation Carpenter being duly sworn

deposes and says, that the premises No. 158 Greenwich Street,  
in the City and County aforesaid, the said being a one story frame  
building  
and which was occupied by deponent as a Carpenter shop  
~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly opening  
a door with a screw-driver

on the 2d day of February 1888 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

one oil-stone and three  
bits valued at one and 50/100  
dollars

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

Joseph Florence (and here)  
for the reasons following, to wit: deponent having  
securely locked and fastened  
the doors and windows of said  
premises and having found  
the said door broken open  
is informed by John Hesser  
then present, that he Hesser saw  
the said defendant pry open  
the said door with a screw driver



POOR QUALITY  
ORIGINAL

0255

and enter said premises. He  
further is further informed  
by Emil Lase (then present)  
that he Lase found the said  
defendants in said premises  
with the said property in his  
possession concealed on his  
clothing and saw a quantity  
of carpenter's tools packed up  
ready for removal. He further  
has seen the said property  
and identifies the same

Sworn to before me } John B. Mount  
this 9th day of February }  
1888

Wm J. Rowe

Police Justice

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Degree.

vs.

Burglary

Date

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.

POOR QUALITY  
ORIGINAL

0256

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 44 years, occupation Shoemaker of No.

139 Washington Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this

day of February 1888

John Lehten  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 44 years, occupation Shoemaker of No.

139 Washington Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this

day of February 1888

John Lehten  
Police Justice.

POOR QUALITY  
ORIGINAL

0257

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, { ss

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

Question What is your name?

Answer

Question How old are you?

Answer

Question Where were you born?

Answer

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

Answer

Question What is your business or profession?

Answer

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

Answer

*had been drinking for a week  
was crazy with liquor and  
did not know what I was  
doing Joseph Lawrence*

Taken before me this

day of February 1888

Police Justice.



POOR QUALITY  
ORIGINAL

0258

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

Police Court-1  
District. 262

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

1  
2  
3  
4  
Offence \_\_\_\_\_  
\_\_\_\_\_

Dated July 9 1888

Magistrate.

Officer.

Precinct.

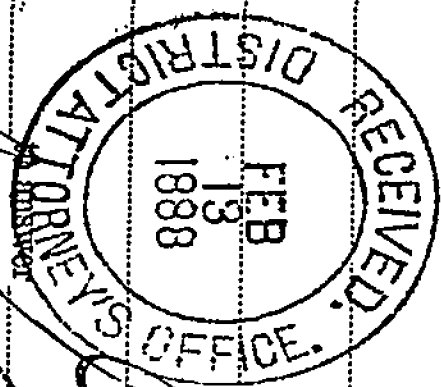
Witness.

No. 139 Madison Street.

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

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

\$ \_\_\_\_\_



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

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

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

Dated July 9 1888 J. Owen Police Justice.

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

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

There being no sufficient cause to believe the within named.....

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

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

POOR QUALITY  
ORIGINAL

0259

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Joseph Lawrence*

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

*Joseph Lawrence* —

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

The said *Joseph Lawrence*.

late of the *Third* Ward of the City of New York, in the County of New York, aforesaid, on the *10th* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *shop* of one

*John B. Mount* —

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 B. Mount* —

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

POOR QUALITY  
ORIGINAL

0260

SECOND COUNT—

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

*Joseph Lawrence* —  
of the CRIME OF *Rob* LARCENY, —

committed as follows:

The said *Joseph Lawrence*.

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

*one ad stone of the value of thirty*  
*cents, and three bits of the value*  
*of forty cents each,*

of the goods, chattels and personal property of one *John A. Mount* —

in the *shop* of the said *John A. Mount* —

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

*John A. Mount,*  
*Attorney*



0261

**BOX:**

296

**FOLDER:**

2815

**DESCRIPTION:**

Foley, David

**DATE:**

02/29/88



2815

0262

**BOX:**

296

**FOLDER:**

2815

**DESCRIPTION:**

Madden, William

**DATE:**

02/29/88



2815

POOR QUALITY  
ORIGINAL

0263

Witnesses:

*Hugh P. Cannon*

*Off. Secy*

*Chas. I. Hasdener &  
Firm of Kelly*

*Chas. I. Hasdener &  
Firm of Kelly  
of New York  
Admission to  
be sent on the  
Steam & Coaster  
permanently*

Counsel,

Filed 29 day of Feb 1888

Pleads, *not guilty*

THE PEOPLE

vs.

*David Foley  
and  
William Madden*

Grand Larceny, *first Degree*  
(From the Person.)  
[Sections 528, 580, 550, Penal Code]

JOHN R. FELLOWS,

District Attorney.

*Chas. I. Hasdener &  
Firm of Kelly  
of New York  
Admission to  
be sent on the  
Steam & Coaster  
permanently*

A True Bill

*John R. Fellows*

For Clerk.

*Chas. I. Hasdener &  
Firm of Kelly  
of New York  
Admission to  
be sent on the  
Steam & Coaster  
permanently*



POOR QUALITY  
ORIGINAL

0264

The People  
vs.  
William Madden.

Court of General Sessions, Part I.  
Before Recorder Smyth.

March 5, 1888.

Jointly indicted with David Foley for grand larceny in the first degree.

Hugh Bonner sworn and examined. I live at 357 Pearl Street and was in Water Street on the morning of the 14th of February, I had a watch in my vest pocket valued at twenty-nine dollars which belonged to me; on this morning I saw David Foley who has pleaded guilty and William Madden, I did not see them until they came past me. They walked about one yard and Foley turned suddenly and struck me with his shoulder on the breast and he took my watch, Madden was in the middle of the street at the time, they were on each side of me; as soon as Foley grabbed my watch he ran away and I hallooed that he had my watch, Madden ran too, I hallooed for the police and the policeman came, Officer Assing and he arrested both of them, they were running from James Slip to Rosevelt St. I am sure that William Madden, the man now on trial is the man that was running with Foley when he stole my watch and I am sure that the man who was arrested with Foley is William Madden; it was a silver watch and had a chain and locket, he did not break the watch off the chain, I have not seen it since.

Cross Examined. The chain was fastened on the buttonhole of my vest, the bar was in the buttonhole. I run a freight elevator for Harper Bros., I got through my work that evening at six o'clock, I went over to Brooklyn to see my friends, I had a few glasses of beer there,

**POOR QUALITY  
ORIGINAL**

0265

they sent out and brought the beer into the house: my friends did not come to the ferry with me, I had one drink of whiskey outside, I arrived in New York about two o'clock in the morning; it is not a fact that I had fallen down on the ground when the watch was taken from me, I was walking along at the time they passed me with my hands in my pocket, the street was light enough for me to see, I was coming out of James Slip into Water Street, I do not suppose I had ever seen Madden before, I did not make a statement in the Police Court that I was not positive whether Madden had anything to do with the stealing or not, he did not put a hand on me, I was on the sidewalk and he was in the middle of the street and Foley was on the side of me and Madden was on the curbstone, my attention was more particularly directed to Foley, I could not tell whether Madden had whiskers or how he was dressed, I did not lose sight of them until they were arrested. It is not a fact that there were a couple or other men in the immediate neighborhood, there was not a man in the block but the Defendants and myself. I had a little drink taken but I was not drunk.

William Assing sworn. I am a police officer and belong to the fourth precinct and was on duty on the morning of the 14th of February in full uniform, I arrested the Defendants. I was attracted by the shout, "they have got my watch", and I looked in the direction where I heard the cry and saw these two men running close together, they were coming towards me, I said to myself, something has happened and so if they saw me I couldn't get the two and I jumped back in a doorway as they came past me and I

**POOR QUALITY  
ORIGINAL**

0266

they sent out and plunged the feet into the house: my

caught the two. Foley jumped behind Madden's back, I saw the watch hanging out of his pocket and I grasped it and took it out, Bonner came along and spoke about having lost his watch, I showed him the watch and he identified it, he said Foley took it, Madden pretended he didn't know anything about it. I did not come across the street and arrest Madden, I did not pull out my revolver, I had it in my possession and told them if they attempted to move I would pull it out.

William Madden sworn and examined in his own behalf, testified: My home is in New London, Conn. and I have been a little over four weeks in New York; on this evening in question I went to Miner's Theater and met a young man coming out whom I had seen in New London last season, we went in a pool room and had some games and noticing that it was half past one, I left to go home to Henry Street, as I was going through Water Street I passed a man who was lying on the sidewalk and in a few moments I saw two men coming from another direction and soon heard somebody holloa, "my watch is gone", and I heard somebody run behind me, I kept on walking and the officer said, "halt or I'll shoot you"; he ran across the street and caught me first and asked what I had been doing, I said, "I have done nothing, you can search me", he felt around my pocket and let me go and took hold of the man that was running and he took us both to the Station House; this man who lost the watch claimed at the Police Court that I did not interfere with him, that it was Foley who took the watch from him, I was not acquainted with Foley prior to my arrest; I never was arrested before.



POOR QUALITY  
ORIGINAL

0267

caught the two. Foley jumped behind Madden, a pack. I saw

Cross Examined. I worked in the Pequot House, New London and in the Metropolitan Hotel on Bank Street, New London, I swear positively that I was not running with Foley, I do not remember the young man's name whom I met at the theater.

David Foley sworn. I remember the night of my arrest, Madden was arrested about two seconds ahead of me, I heard the testimony of the officer and of Madden, I did not know Madden before the night of the arrest, that was the first time I had ever seen him. I was convicted once for a watch and sent to the Elmira Reformatory. On this night the man was lying on the street, drunk, and I took the watch off him.

The Jury rendered a verdict of guilty of grand larceny in the first degree.

POOR QUALITY  
ORIGINAL

0268

larceny in the first degree.

The jury rendered a verdict of guilty of grand

larceny in the first degree.

On the night the man was lying on the street, drunk, and I  
took for a watch and sent to the Elmira Reformatory. On  
was the first time I had ever seen him. I was convicted  
did not know Madden before the night of the arrest, that  
of me, I heard the testimony of the officer and of Madden,  
of my arrest, Madden was arrested about two weeks before

David Foley sworn. I remember the night

met at the theater.

with Foley, I do not remember the young man's name whom I

New London, I swear positively that I was not running

New London and in the Metropolitan Hotel on Bank Street,

Cross examined: I worked in the Bednot House,

*Testimony in the case  
of  
Madden*

*filed Feb. 1886*



POOR QUALITY  
ORIGINAL

0269

Police Court—1st District.

Affidavit—Larceny.

City and County } ss.  
of New York,

of No. 307 Pearl Street, aged 28 years,  
occupation Elevator man being duly sworn

deposes and says, that on the 11th day of February 1888 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession

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

One double ended silver watch  
and plated chain being together  
of the value of

Twenty nine Dollars

the property of

Deponent

and that this deponent

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

Madden (maul here) who were acting

in concert with each other for the

purpose that about the hour of twelve

in the morning of the aforesaid day

while deponent was walking through

Water Street, he had said property which

was attached said chain in the lower

left hand vest pocket of the vest he

then had on when said deponent

together passed him and when about

thirty feet in front of deponent said

Foley turned around and grabbed

said property and in compliance with

said Madden ran away said Foley

Sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_ 1888

Police Justice



POOR QUALITY  
ORIGINAL

0270

having said property in his possession  
Defendant is informed by William  
Assing a police officer of the 4th  
precinct police that he arrested  
said defendants while they were  
running through water shot and  
found said property in the possession  
of said Goley.

Defendant therefore charges  
said defendants with having acted  
in concert with each other and  
charges them with the conspiracy  
said.

Given to be true and  
the 14th day of February 1898  
Soldier Smith

Page 100

POOR QUALITY  
ORIGINAL

0271

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 25 years, occupation Police Officer of No.

Fourth Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Hugh Danner

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

Sworn to before me, this

day of

188

Salomon Blumenthal  
Police Justice.

POOR QUALITY  
ORIGINAL

0272

Sec. 198-200.

14 District Police Court.

CITY AND COUNTY { ss  
OF NEW YORK,

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

Question What is your name?

Answer

David Haley

Question. How old are you?

Answer

23 years.

Question. Where were you born?

Answer.

New York City

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

Answer.

111 Matt Street 4 1/2 years.

Question What is your business or profession?

Answer

Mechanic

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

David Haley ✓

Taken before me this 14 day of February 1908 at New York Police Court.



POOR QUALITY  
ORIGINAL

0273

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question What is your name?

Answer

Question. How old are you?

Answer

Question. Where were you born?

Answer.

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

Answer.

Question What is your business or profession?

Answer

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

Answer.

*I am not guilty*  
*W. Madden.*

Taken before me this *14* day of *September* 188*8*  
*Wm. J. Smith*  
Deputy Justice.

POOR QUALITY  
ORIGINAL

0274

BAILLED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

205  
District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

357 Pearl St

William H. Smith

Offence

Dated February 14 1888

Magistrate

Officer

Precinct

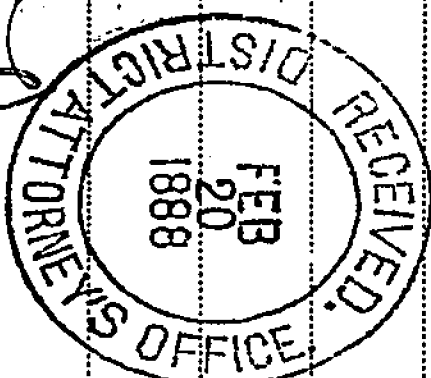
Witnesses

No.

No.

No.

\$ 1000 to answer



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

Dated February 14 1888 William H. Smith Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0275

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*  
David Foley and  
William Madden

The Grand Jury of the City and County of New York, by this indictment, accuse  
David Foley and William Madden  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said David Foley and William Madden

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

*One watch of the value of twenty-*  
*five dollars, and*  
*one chain of the value of four*  
*dollars*

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



POOR QUALITY  
ORIGINAL

0276

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said  
*David Foley and William Madden*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *David Foley and William Madden*

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

*One watch of the value of twenty-five dollars, and  
One chain of the value of four dollars*

of the goods, chattels and personal property of one

*Hugh Bonner*

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

*Hugh Bonner*

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

*David Foley and William Madden*

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

JOHN R. FELLOWS,

District Attorney.

0277

**BOX:**

296

**FOLDER:**

2815

**DESCRIPTION:**

Fraser, James

**DATE:**

02/15/88



2815

POOR QUALITY  
ORIGINAL

0278

No 250

Counsel,  
Filed, 15 day of July 1888  
Pleads,

VIOLATION OF EXCISE LAW  
(Keeping Open on Sunday.)  
[Ill. Rev. Stat., 7th Edition, page 1889, Sec. 6]

THE PEOPLE,

vs.

B

James Fraser

JOHN R. FELLOWS,  
RANDOLPH B. MARTINE,

District Attorney.

Sent for 23 to Court  
A True Bill.

Foreman,  
April 23/88  
James Fraser  
Fined \$30 April 23/88

Witnesses:  
Off Free



POOR QUALITY  
ORIGINAL

0279

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*James Maser*

Question. How old are you?

Answer.

*32 yrs*

Question. Where were you born?

Answer.

*Brooklyn*

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

Answer.

*144 West 12th Street 1 year*

Question. What is your business or profession?

Answer.

*Porter*

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

Answer.

*I am not guilty and  
demand a trial by jury  
James Maser*

Taken before me this

day of

1888

Police Justice.

POOR QUALITY  
ORIGINAL

0200

1124  
2-14-

BAILED,  
No. 1, by *James A. Regalleg*  
Residence *205 West 124* Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Police Court- *5* District. *195*

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*James A. Regalleg*

vs.

*James A. Regalleg*

Offence *Accuse*

Dated *January 31* 188*8*

Magistrate.

Officer.

Precinct.

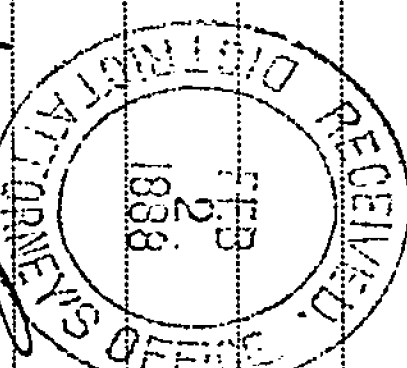
Witnesses

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

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

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

\$ *100* to answer



*Sealed*

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 *one* 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 *January 30* 188*8* *John J. ...* Police Justice.

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

Dated *January 30* 188*8* *John J. ...* Police Justice.

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

Dated \_\_\_\_\_ 188*8* \_\_\_\_\_ Police Justice.

N.Y. City Feb 22<sup>nd</sup> 1888

In witness whereof I have signed

This is to certify that I  
am a regular practicing Physician  
in the City of New York and  
am now in attendance upon  
James L. Fraser of No. 144 West 124<sup>th</sup>  
Street this City. That since Fraser is  
now suffering from a mental disease  
with great complication and that  
it would endanger his life to ap-  
pear at court - and I further state  
that in my opinion I will re-  
quire from cases in which to be able  
to appear.

Wm. M. D.

10 West 125<sup>th</sup> St -

Sworn before me this day 22<sup>nd</sup>  
of February 1888

Jacob Reiman 171  
Notary Public  
City and County  
of New York



POOR QUALITY  
ORIGINAL

0282

Excise Violation-Keeping Open on Sunday.

POLICE COURT- 51 DISTRICT,

City and County } ss.  
of New York, }

of 30th Precinct Police James L Price Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 29 day  
of January 1888, in the City of New York, in the County of New York,

of James Maser (now here)  
being then and there in lawful charge of the premises No 2307 8th Avenue  
Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be  
drunk upon the premises DID NOT KEEP SAID PLACE CLOSED contrary to and in violation of  
the statute in such case made and provided.

WHEREFORE, deponent prays that said James Maser  
may be arrested and dealt with according to law.

Sworn to before me, this 30 day  
of January 1888

James L Price  
John H. Maser Police Justice.

POOR QUALITY  
ORIGINAL

0283

City & County of New York, ss:  
Dr. Chas. Zimmerman,  
258 West 124th Street,  
266- New York. 129

Office Hours,  
11 to 1 a. m. 6 to 8 p. m.

Apr 9<sup>th</sup> 1888.  
Charles Zimmerman being duly sworn,  
says

To whom it may concern.

This Certifies:

That I have been

in attendance on James  
Fraser, and that he has  
been suffering from  
Inflammatory Rheumatism  
complicated with a lung  
affection, and is at the  
present time incapable of  
any over-exertion. He  
is not able to walk  
three blocks, and under  
my advice, I forbade him  
to walk more than our  
block from home, for  
at least the next four  
weeks.

Sworn to before me this  
9th day of April 1888  
Eugene Sweet  
Notary Public N.Y.C.  
266- W. 129-

POOR QUALITY  
ORIGINAL

0284

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

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

*against*

*James Fraser*  
*Defendant.*

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

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

*John R. Fellows,*

~~RANDOLPH B. MARTINE~~, District Attorney.



0285

**BOX:**

296

**FOLDER:**

2815

**DESCRIPTION:**

Freund, Adolph

**DATE:**

02/14/88



2815

Witnesses:

*off Fay*

No 236

Counsel,

Filed, 14

day of July 1888

Pleads

*Indignity*

THE PEOPLE,

vs.

B

*Adolph S. Green*

VIOLATION OF EXCISE LAW  
(Keeping Open on Sunday)  
(III Rev. Stat., 7th Edition), page 1889, Sec. 6)

*2000 Second St*

*P. 3. John B. Fellows.*

*RANDOLPH B. MARTINE,*

District Attorney.

A True Bill.

*Glenn*

Foreman.

P. 3 July 24/88

*Complaint sent to Special Agents*

0286

0287

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

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

*against*

*Adolph Freund*  
*Defendant.*

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

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

*John R. Fellows,*  
~~RANDOLPH B. MARTINE~~, District Attorney.