

0333

BOX:

508

FOLDER:

4632

DESCRIPTION:

Clark, Walter

DATE:

01/19/93



4632

0334

Witnesses:

Charles O. Brown

180

Counsel,

Filed 19 day of May 1893

Plends,

THE PEOPLE

vs.

Walter Clark

Grand Juror, Degree, Penal Code, [Sections 53, 54]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

J. C. Catlin
Feb 27/93 Foreman.

Indictment
Dismissed

after examining
the witness in
this case & reading
the indictment &
affidavit of ex-
cellent character &
the deft's promise to
join his father in
Golfett Illinois - I
ask that this indictment
be dismissed - there is
no case agst deft.
Feb 21st 93 J.F.B.
A.D.A.

0335

Police Court 2nd District.

Affidavit-Larceny.

City and County }
of New York, } ss:

of No. 85 1/2 Second Avenue Charles O'Brien Street, aged 38 years,
occupation Undertaker being duly sworn,
deposes and says, that on the 3rd day of January 1893 at the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
the night time, the following property, viz:

Good and lawful Money of the
United States of the amount and
value of about Three hundred
and fifty dollars

the property of Deponent

Sworn to before me, this 3rd day of January 1893

John H. Kelly
Police Justice.

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 Walter Clark now here from the fact that the defendant was in the employ of deponent as an assistant and on said date deponent left the defendant in charge of the store and at the time said money was locked up in a safe in said store and about thirty minutes thereafter deponent returned to said store the defendant had left and deponent found the safe open and said money was missing from said safe and the defendant admitted and confessed to Officer James Carlo of the 16th Precinct Police that he had stolen said money Charles O'Brien

0336

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 35 years, occupation Thomas Parks
Police Officer of No.

The 16th Street Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Charles O'Connell

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

Sworn to before me, this 5 day of July 1890, } Thomas Parks

John Ryan
Police Justice

0337

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

Walter Clark 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 a 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.

Walter Clark

Question. How old are you?

Answer.

16 years

Question. Where were you born?

Answer.

U. S.

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

Answer.

107 East Houston 5 months

Question. What is your business or profession?

Answer.

Salesman

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

Walter Clark

Taken before me this

day of

1897

Police Justice.

0338

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

Walter Clark

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

Dated, Jan 5 1893 *J. M. Ryan* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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33

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles O'Brien
vs. Walter Clark

Offense
Larceny

2
3
4

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

Dated, Jan 5 1895
Pryor
Cof
4th Precinct. 16
Magistrate.
Officer.

Witnesses Call officer
No. Street.
No. Street.
No. Street.

\$ 1000 to answer S.S.
L.M. G.T.

0340

Court of General Sessions.

-----o
 :
 The People :
 :
 vs :
 :
 Walter Clark :
 :
 -----o

City and County of New York, ss:-

George P. Morris Being duly sworn deposes and says, that he resides at 273 West 23rd Street in the City of New York. That the above named defendant has been in his employ and was intrusted with goods and money and was always honest and trustworthy, making sales and collections, and all of his collections were correct.

That notwithstanding the complaint made against the defendant ~~will~~ ^{he would} take him back in ~~his~~ employ, but I understand that he is to be immediately sent to his father at Joliet, Illinois. I have made an investigation in regard to the defendant and his family, and his people are all of the highest respectability.

Sworn to before me this
 20th. day of February 1893

George P. Morris

Jacob Manhattan
Notary Public
N.Y.C.

0342

Court of General Sessions:
The People

vs
Walter (arr.)
City & County of New York.

James Friedman being duly sworn says: He resides
N^o 17 East 105th St and a public school teacher by
occupation. That he has known the above named
legend for a long time; that he has visited at
his house, that he has also been his teacher and
as always found him an honest, upright boy.

Samuel Friedman
Teacher in S. S. # 83.

216 E. 110th St.

Sworn to before me
this 20 day of Feb. 1897

George A. ...
Notary Public (C)
reg. Co.

0343

Court of General Sessions.

-----o
The People ;
vs ;
Walter Clark ;
-----o

City and County of New York, ss:-

Albert T. Clark being duly sworn, deposes and says, I am the brother of the above named defendant. That he has never been arrested before charged with any offense, and if he is discharged in this case I will immediately see that he goes to his father at Joliet, Illinois, and where his father is now the Proprietor of the Steel and Wire Mill.

Sworn to before me this
20th. day of February 1893.

Albert T. Clark

Joseph P. Sullivan
Notary Public
N.Y.C.

0344

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUSWalter Clark

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

I have ascertained that the above named defendant is a man of good character and ask that he be discharged on his own recognizance.

I now believe that I may have been mistaken when I made the charge against the said Walter Clark as my safe was unlocked, and some other person may have committed the crime, and as I have no desire to prosecute an innocent person, and I consequently ask for his discharge on his own recognizance. I was not informed by Officer Parks that the defendant had confessed to the larceny.

Feb 20th 93

Charles O'Brien

0345

VCourt of General Sessions.

-----o
The People :
vs :
Walter Clark. :
-----o

I am the officer named in the complaint, and I did not inform the complainant Charles O'Brien that the defendant confessed the larceny of the money from the complainant's safe.

Thomas Parks

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New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Walter Clark

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. But I now believe, that I may have been mistaken, when I made the charge against the said Walter Clark, as my safe was unlocked, and some other person, may have committed the crime, and as I have no desire to prosecute an innocent person, and I consequently ask for his dismissal.

Acknowledge before me
this 30th day of January 1893

Charles O'Brien

Thos A. McGuire
Clerk of Courts
N.Y.C.

0347

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

..... being duly sworn, says that he resides at No. Street, in the City of New York; that he is years of age; that on the day of 18, at Number in the City of New York, he served the within on the by leaving a copy thereof with

Sworn to before me this
day of 189

U. S. Court of Appeals -
The People

Plaintiff

against

Walter Clark

Defendant

Affidavit
&
Withdrawal

J. PURDY & McLAUGHLIN,
Attorneys for

No. 280 BROADWAY, New York City

Due and timely service of cop of the
within hereby admitted
this day of 18
Attorney.

To

0348

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Walter Clark

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

Walter Clark

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

The said *Walter Clark*,

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

the sum of three hundred and fifty dollars in money, lawful money of the United States of America, and of the value of three hundred and fifty dollars

of the goods, chattels and personal property of one

Charles O'Brien

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

*De Lancey Nicoll,
District Attorney*

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BOX:

508

FOLDER:

4632

DESCRIPTION:

Cohen, Ruben

DATE:

01/26/93



4632

0350

POOR QUALITY ORIGINAL

Bail for \$7500

Witnesses:

Israel Rosen
Simon Silver
Louis Levine

Bail for 7/93 by
Joseph Mead
Assist. Secy. of State
48 Wall St

Best accy
Accounting
Bail for
to \$7000
By 10/93

Part 1 Nov 22/90 - motion to dismiss
dismissed with prejudice to process in
first Monday of Jan 1/94

see inside

250

B 7/1 Jan 26/93
986/93

Counsel, Goldstone & Cohn
Filed 26 day of Aug 1893
Pleads, Iniquity

THE PEOPLE,

vs.

Rubén Cohen

Part 2 - Jan. 30, 1894
On motion of District
Attorney distinguished
Dismissed

DE LANCEY NICOLL,
District Attorney

Grand Jury 27/93

A TRUE BILL.

Jan 25, 93

J. Carr
Part 3. October 10/93 Foreman
Bail discharged
(under authority)

Lead in disposition of property
(Section 587 Penal Code)

0351

POOR QUALITY ORIGINAL

Principal at \$7500.

Witnesses:

Israel Rosen
Simon Silver
Louis Green

Debit \$247/93 by
Joseph Mead
acc. to the books of
H. B. W. 1893

Best and
accompany
Bail return
to \$5000 by
July 10 1893

Part I Nov. 26/93 - motion to dismiss
denied with privilege to renew
first Monday of Jan 1894

see inside
W. A. D. A.

250.

B W Jan 26/94
98643

Counsel, Goldwater John
Filed day of 1893
Pleas

THE PEOPLE,

vs.

Ruben Cohen
Part 2 - Jan. 30, 1894
On motion of District
Attorney Indictment
Dismissed

DE LANCEY NICOLL,
District Attorney

A TRUE BILL.

J. Carter
Part 3. October 19, 1893 Foreman
Bail discharged

Section 537 Penal Code

0352

Fol 1 State of New York :
City and County of New York : ss

I, Marks Cohen, being duly sworn, depose and say: I live with Mr. Charles Levy at no. 192 Division Street, New York City. I know Reuben Cohen, and the said Reuben Cohen carried on business in tailors supplies at No. 161 Division Street in the City of New York, and I clerked for him for about a year, up to about the middle of September 1892, when the Sheriff took possession of his place under a judgment procured by one Isaac Goodstein against said Reuben Cohen. After that occurred, the said Reuben Cohen told me that he would not need me for a while, and would notify me when he did want me, and I was away from him for two or three weeks, when I went back to him.

2 During the two or three months immediately preceding the aforesaid failure of Reuben Cohen, and the taking of the possession of his store under the said judgment by the Sheriff of the City and County of New York, Reuben Cohen from time to time sent away and ~~xxx~~ removed and secreted merchandise with intent to cheat and defraud his creditors, such concealment being with a number of the immediate, friends and acquaintances of the said Reuben Cohen.

3 In September 1892 the said Reuben Cohen sent to one S. Cohen, 89 Monroe Street in this City a large lot of goods consisting of cotton, overcoats and braid; the said Reuben Cohen before that time had stated to me that he would fail in business, and that he wanted me to take

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those goods to S. Cohen's place No. 89 Monroe Street and have them hidden away there until his troubles were over, so I engaged an expressman by the name of Levien, at the request of the said Reuben Cohen, and I accompanied the said Levien on his express wagon, and took the said goods to the said S. Cohen and left them there. The said goods were not bought by the said S. Cohen, but the goods were the property of the said Reuben Cohen, and according to his instructions to me, I took them there for the purpose of having them hidden away so that his creditors could not get them.

Before I took the said goods to the store of the said S. Cohen, by the direction of Reuben Cohen, I took, to the store of a Mr. Federousky at No. 422 7th Avenue in this City, five pieces of satin serge, ten dozen cotton pants and just before I took those goods up there Mr. Reuben Cohen had a conversation in my hearing with Mr. Federousky wherein Reuben Cohen told the said Federousky that if he would allow him ~~xx~~ to store away those goods in his place until after his troubles were over, he would pay the said Federousky for his trouble. Those goods which I took as aforesaid to the said Federousky under the instructions of Reuben Cohen, were not sold to the said Federousky, nor did the said Federousky have any interest therein, but ~~xxx~~ he was merely concealing and hiding them for the purpose of preventing the creditors of Reuben Cohen from getting at them.

During the month immediately preceding the said failure of Reuben Cohen, by his directions, I took to the shop of Benjamin Newhoff, No. 59 Bleecker Street in the City of New York upon a number of occasions, goods taken

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out of the stock of Reuben Cohen, and upon those occasions the goods to the said Newhoff were taken upon the aforesaid express wagon of the said Levien. Reuben Cohen in the presence made an arrangement with the said Newhoff to give the said Newhoff receipted bills for the merchandise so delivered, with the understanding however, that the goods should when the said Reuben Cohen was out of his difficulties, be returned to the store of said Reuben Cohen; none of the said goods were actually bought by the said Newhoff from the said Reuben Cohen and the said Newhoff never paid a single dollar for any thereof, but he agreed with and promised the said Reuben Cohen that he would conceal the property in question for him until his difficulties were over, so that his creditors could not get at those goods.

66

During the two or three months immediately prior to said Reuben Cohen being sold out as aforesaid by the said Sheriff, said Reuben Cohen shipped goods in large quantities to Richmond, Virginia, Philadelphia, Pennsylvania, and to other places outside of the State of New York, where the same were concealed for the future use and benefit of the said Reuben Cohen, and the same were sent to my knowledge by the said Reuben Cohen as admitted by him to me and in my hearing for the purpose of having said goods concealed and secreted until his difficulties with his creditors were over.

7

After the said Reuben Cohen had been sold out by the said Sheriff, he opened business at the same store, No. 161 Division Street in the name of Benjamin Newhoff, and so continued the said business until on or about the

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8 27th day of October 1892, when the business was changed around in the name of Dora Cohen, the wife of Reuben Cohen, and the business is now carried on in her name, and the business under the said name of his wife, is being managed and superintended by Reuben Cohen in person at the same place, that is, No. 161 Division Street, and is the same line of business as he had previously carried on there, and on Friday last, the various ^{lots} of the goods which had been concealed as aforesaid, being the goods containing ten pieces of silesia, was returned to the said store No. 161 Division Street and taken possession of by the said Reuben Cohen and placed in the said store, and on said 9, day there came from the said Newhoff a quantity of buttons adapted to pants or pantaloons and used for such purpose, and which buttons were among the goods which had been delivered as aforesaid by the said Reuben Cohen, through me, and the said expressman, to the said Newhoff, who was and is engaged in business as a manufacturer of caps in which trade, he had no use for and could not use said buttons and the said buttons being then returned by the said Newhoff, were also received by the said Reuben Cohen at his said place of business.

Some time prior to the said failure of Reuben Cohen, he (Reuben Cohen) gave me a bundle of trimmings which he asked me to take to my room and keep them there for him until his troubles blew over, when I was to return them to him. Charles Levy, with whom I live at No. 192 Division Street, saw the said bundle, and asked me what it was; I told him what it contained, and I also told him that it 10 belonged to Reuben Cohen of No. 161 Division Street. He told me to take it away as he would not have it in the house

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which I did. It remained there for about two or three weeks.

On the 31st day of October 1892 Reuben Cohen instructed me to go to said S. Cohen and said Federousky, where the goods as aforesaid had been by me on behalf of said Reuben Cohen deposited and secreted, and get them back, and ship them at once to Richmond, Virginia.

Sworn to before me this
4th day of November, 1892

0357

My City

Spain

When

Paper

Blank page with faint, illegible text impressions.

Vol-1

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

THE PEOPLE OF THE STATE OF NEW YORK:

-against-

RUBEN G. COHEN.

S I M P L Y :-

PLEASE TAKE NOTICE, that on a certain affidavit, and on all the proceedings heretofore had in this action, a motion will be made before Hon. Rufus W. Cowing, City Judge of New York, at Part II of the Court of General Sessions to be held in and for the City and County of New York on the 15th day of September 1895, at 11 o'clock in the fore-noon of said day, or as soon thereafter as counsel can be heard by the undersigned counsel for the above named defendant, that the indictment filed herein against the defendant on the 26th day of January 1895, be dismissed pursuant to the provisions of section 605 of the Code of Criminal Procedure, and that the undersigned counsel have such further or other relief herein as may seem proper and just.

2

Dated, New York, September 9th, 1895.

Yours Esq.,
GOLDBERG & GOLD,
Attorneys for defendant,
261 Broadway, New York City.

To Delancey Nicoll, Esq.,
District Attorney.

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

THE PEOPLE OF THE STATE OF NEW YORK:

-against-

RUBEN COHEN,

CITY AND COUNTY OF NEW YORK, vs:-

RUBEN COHEN, being duly sworn, says: I am the de-
fendant in the above entitled action. I am a resident of the
City of New York, and have been such resident for *24*
years last past.

6
On January 26th 1893, an indictment was filed
against me in this court under section 587 of the Penal Code,
wherein and whereby I was charged with the crime of removing
and disposing of my property with the intent to defraud my
creditors. I was arrested under the said indictment and held
to bail in the sum of seven thousand and five hundred dollars,
which was subsequently reduced to five thousand dollars, and
after having been imprisoned for some time in the City Prison
of New York, I was admitted to bail, Mr. Joseph Meade being
my bondsman. Reference to the indictment now on file with
the clerk of this court being had and as by said indictment
4 will more fully appear.
X

On January 27th, 1893, I was arraigned in this

0360

court and pleaded not guilty. I frequently demanded a trial under the said indictment, and whenever this case was on the calendar, my counsel appeared in court with myself and my witnesses ready to proceed.

On June 5th inst. ⁵ My counsel, Judge Goldfogle, attended at general sessions Part One before Mr. Justice Cowing, and this case was on the calendar. We answered ready for trial, and my counsel urged that this case be tried immediately, and insisted upon an immediate trial. I was present in court with my witnesses ready to proceed with the trial of this case. Mr. Justice Cowing directed the District Attorney to place this case on the calendar for a future day, and to try the same at the earliest practical moment, remarking that this was an action that should be disposed of at once.

On June 15th, this case again appeared on the day calendar Part One of the Court of general Sessions before Mr. Justice Cowing. ⁶ My counsel, myself and my witnesses were present in court. All my witnesses were in court at the time, and I was ready to go on with the trial of this action. The District Attorney was not ready. My counsel, Judge Goldfogle, insisted upon an immediate trial of this action, and the Presiding Justice then and there directed that this action be tried at once; but upon the urgent application of the District Attorney, and upon his promise to investigate the case, and upon the express promise of the District Attorney that if ⁷ this action was not brought to an immediate trial, he would

consent that the defendant be discharged on his own recognizance, the action was again adjourned until some future day, the District Attorney promising to take up the case and dispose of it.

On June 3rd, this action again appeared upon the day calendar of this court, Part One, before Mr. Justice Cowling, and my witnesses, my counsel and myself were present in court ready to try this case. He insisted upon an immediate trial. He answered ready, when the case was called.

8 We demanded that the case be disposed of according to the
 X premise of the District Attorney, and on the promise of the District Attorney that the case should be disposed of the following week, or by a discharge of the defendant, the case went over, and has not since appeared upon the day calendar of this court.

9 In view of the foregoing facts, I desire that an order be made under the provision of section 666 of the Code of Criminal Procedure that the indictment herein be dismissed, or that this defendant have such other or further relief as to the court may seem just and proper. And in view of the fact that this action has been pending for nearly nine months, and has not been disposed of, despite my efforts and that of my
 X counsel to have the same brought to trial, and in view of the fact that by reason of this indictment, I am prevented from earning my livelihood, I ask for an order to show cause returnable at an early day, for which order no previous ap-

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plication has been made.

Sworn to before me this:

7th day of Sept., 1925.

Ruben Cohen

*Bernard Metzger,
Notary Public,
N.Y. Co.*

My General Demand

The People,

- 10 -

Ruben Cohen

(~~copy~~)
affidavit and notice
of motion.

GOLDFOGLE & COHN,

Attorneys for Deft.

261 BROADWAY,

NEW YORK CITY.

Part of Sept 13/93

To Deft.

De Lancy Bank

111 West St.

0363

Fol 1

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

-----x
 :
 :
 THE PEOPLE OF THE STATE OF NEW YORK :
 :
 Plaintiff, :
 :
 -against- :
 :
 R E U B E N C O H E N , :
 :
 Defendant. :
 :
 -----x

S I R : -

PLEASE TAKE NOTICE, that on the annexed affidavit,
 and on all the proceedings heretofore had in this action, a
 motion will be made before Hon. Frederick Smyth, Recorder of
 the City and County of New York, *at Part I General Sessions* on the *22^d* day of Novem-
 ber, 1893, at eleven o'clock in the fore-noon of that day or
 as soon thereafter as counsel can be heard, by the undersigned
 counsel for the above named defendant, that the indictment
 filed herein against the defendant on the 26th day of Janu-
 ary 1893 be dismissed pursuant to the provisions of Sec. 668
 of the Code of Criminal Procedure, and that the defendant have
 such other and further relief herein as to the court may seem
 just and proper.

Dated, New York, October 30th, 1893.

Yours &c.,

GOLDFOGLE & COHN,

Attorneys for defendant,

Office and Post Office Address, 261 Broadway, New York City.

To DeLancey Nicoll,

District Attorney

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COURT OF GENERAL SESSIONS

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

-----x
 :
 :
 THE PEOPLE OF THE STATE OF NEW YORK
 :
 Plaintiff, :
 :
 -against- :
 :
 R E U B E N C O H E N ,
 :
 Defendant. :
 :
 -----x

CITY AND COUNTY OF NEW YORK, SS:-

REUBEN COHEN, being duly sworn, says: I am the defendant in the above entitled action, and reside in the City of New York, and have resided in said city for twenty-four years last past.

On January 26th 1893, an indictment was filed against me in this court ~~for~~ under Sec. 587 of the Penal Code wherein and whereby I was charged with the crime of removing and disposing of my property with the intent to defraud my creditors. I was arrested under the said indictment and held to bail in the sum of seven thousand and five hundred dollars, which was subsequently reduced to five thousand dollars, and after having been imprisoned in the City Prison in New York for some time, I was admitted to bail, Mr. Joseph Meade being my bondsman. Reference to the indictment now on file with the Clerk of this court being had and as by said indictment will more fully appear.

0366

OF THE CILLA VMD COMILA OF MHA AOKN.
SOGEM OF GEMSHY, WEFYOSH

On January 27th 1893, I was arraigned in this court and pleaded "Not Guilty". This case appeared on the calendar of this court about *ten* times, and on each of said occasions, my counsel appeared in court with myself and my witnesses ready and anxious to proceed with the trial, and on each of said occasions the said trial was moved off and postponed by the District Attorney. I and my counsel have continually demanded that this case be tried and insisted upon *it* being placed on the calendar and disposed of.

On June 5th last, my counsel, Judge Goldfogle, attended at the General Sessions, Part I before Mr. Justice Cowing when this cause was on the calendar. The defendant was ready to try the case and demanded that it then and there be disposed of; but on the application of the District Attorney the case was adjourned and Mr. Justice Cowing directed the District Attorney to place this cause on the calendar for a future day, and to try the same at the earliest practicable moment, and remarking that this was an action that should be disposed of at once.

On June 13th this case again appeared on the day calendar of Part I of this court before Mr. Justice Cowing. My counsel, witnesses and I were again ready to try the case, but the District Attorney moved the case off on the ground that he was not ready. On my counsel insisting upon an immediate trial, the presiding justice directed that the action be tried at once; but upon the urgent request of the District Attorney and upon his promise to investigate the case, and

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of this court upon the application of the defendant
and the District Attorney, and the case was adjourned
to some future day.

that if this action was not brought to an immediate trial, he would consent that the defendant be discharged on his own recognizance, this action was again adjourned to some future day.

On June 23rd 1893, this action appeared on the day calendar of this court before Mr. Justice Cowing, and my witnesses my counsel and I were again present in court ready to try the case and insisted upon immediate trial. The case was answered ready upon the call and my counsel demanded that the case be disposed of according to the promise of the District Attorney, and on the promise of the District Attorney that the case should be disposed of the following week or by discharge of the defendant, the case went over.

Subsequently to this, the defendant made a motion on or about September 13th 1893, that the indictment herein be dismissed, and on September 18th 1893, an order was made by Mr. Justice Cowing, City Judge, setting this case down for Monday October 2nd 1893 in Part II of this court, to which order, a copy of which has heretofore been served on the District Attorney, this defendant begs leave to refer.

That on or about October 9th 1893, this case having been put on the calendar, an order was made discharging the bail of the defendant and releasing him on his own recognizance. Since that time this case has not been on the day calendar, and there has been no attempt or effort made on the part of the District Attorney to try the same, and the indictment is still pending, as I am informed and believe; and no ad-

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...the defendant was not present at the first day of the trial...

jourment of this case has been had on my application, except as hereinbefore stated, and I have always been ready, willing and anxious to try this case on the first day that it was set down for trial.

WHEREFORE, I ask that an order be made under the provisions of section 668 of the Code of Criminal Procedure that the indictment herein be dismissed, and that the defendant have such further and other order and relief herein as may be meet and proper under the circumstances.

Sworn to before me this:

17th day of Nov., 1893.:

Ruben Cohen
Nathaniel M. Goodman
Commissioner of deeds
N.Y.C.

0369

N.Y. General Sessions
of the City and County of New York

The People of the
State of New York

— agent of —
Richard Cohen

all parties
advice of motion

Wm. J. Kelly
of the County of New York
do hereby certify
that the within
is true and correct
as the same appears
from the records
of the Court
at New York, N.Y.

service of summons
affidavit and notice of motion
is hereby admitted.

Dated, New York, Nov. 18, 1923
Wm. J. Kelly, Notary
per Richard Cohen
attorney

Hearing on within motion
is hereby adjourned to
convene to Nov. 23/23
at 11 a.m.
Nov. 22/23 - 2 Broadway
New York City

Richard Cohen
attorney
for the defendant
Nov. 22/23

0370

1428

COUNTY OF NEW YORK, ss.:

In the Name of the People of the State of New York, To any Sheriff, Constable,
Marshal or Policeman in this State, GREETING:

An indictment having been found on the 26th day of January
1893, in the Court of General Sessions of the Peace of the County of
New York, charging Ruben Cohen

with the crime of Fraudulent disposition of property

You are therefore Commanded forthwith to arrest the above named
Ruben Cohen and bring him before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the
City Prison of the City of New York, or if he require it, that you take him before any Magistrate
in that County, or in the County in which you arrest him, that he may give bail to answer the
indictment.

City of New York, the 26th day of January 1893

By order of the Court,

John F. Carroll
Clerk of Court.

0371

New York General Sessions of the Peace.

THE PEOPLE
OF THE STATE OF NEW YORK,
against

Ruben Cohen

BENCH WARRANT FOR MISDEMEANOR.

Issued *January 26th 1893*

The defendant is to be admitted to bail
in the sum of.....dollars.

.....189
The within named defendant was
arrested this day and brought to the
Court of General Sessions by
.....

0372

Grand Jury Room.

PEOPLE

Publ. of C.
1870

...

July 1870

...

...

...

...

...

Zachariah Dyer

Hy. Friedman

...

\$30000

Sept.

0373

Grand Jury Room.

PEOPLE

C. B. [unclear]
 [unclear] [unclear]
 [unclear] [unclear]
 [unclear] [unclear]
 [unclear] [unclear]

0374

TOMES POLICE COURT

*****:

The People of the State of New York,

-against-

R u b e n C o h e n

*****:

CITY AND COUNTY OF NEW YORK, SS:

I, Louis Levine being duly sworn, depose and say:

I am an expressman; I live at No. 9 Essex Street in the City of New York. I work for Samuel Levine, who has his office at the same place; I have worked for him four or five years, and have been in the express business for about thirteen years; when the boss is not at the office, I take orders myself.

Handwritten initials and signature

I know Ruben Cohen; he keeps a clothing and tailors trimmings business at No. 161 Division Street New York City. During the ~~last~~^{first} two weeks or thereabouts of September 1892, I removed large quantities of goods daily for Ruben Cohen at his direction and orders. He asked me on these occasions, to use a shed wagon, that is, a covered wagon, and when I had no shed wagon, I was obliged to use covers, so that no one could see the contents of the wagons or trucks. Sometimes when there was no shed wagon in, he paid me to hire one and would not let me use uncovered wagons. He came to me often two or three times ^{a day} during the two weeks, and sometimes as many as five or six times, and ordered me to get out my truck or wagon and remove goods for him; he would come at all hours of the day and night; often at nine or ten o'clock at night; on all these occasions, I

0375

removed goods under his instructions from his store and place of business at No. 161 Division Street, with the exception of four or five times, when I removed goods from 21 Bowery, a tailor shop kept by a woman. No. 161 Division Street is occupied by Ruben Cohen both as a place, of business, and as a residence; he occupies the whole house there; the store floor for business purposes and the other floors for the purpose of a residence. Sometimes I removed goods from the store and other times from the floors above, and on some occasions, from the wood-sheds in the yard. I removed pieces of goods, finished mens clothing, coats, pants and vests, also cut unsewed pieces; most of these goods were packed in wooden cases. I helped Cohen to pack them on some occasions. I also removed many small cases which I am told, contained tailors trimmings; sometimes I removed loose clothing; on one occasion I removed about three hundred and fifty coats tied up in bundles loosely to 7th Avenue between 27th and 28th Streets, a second-hand clothing store there.

On a Friday in the middle of September, the day when the Sheriff took possession of the place No. 161 Division Street, I carried my last load for Ruben Cohen; I carried a load of two cases to a clothing store on Eighth Avenue; one of these cases I removed from the store in Division street and the other case I removed at his direction from 21 Bowery. At the request of the man in the store on Eighth Avenue, I helped to unpack the cases; they contained sacque coats and vests; it was about seven o'clock in the morning; when I came back, I found the Sheriff in possession of the place No. 161 Division Street.

0376

Among the places that I remember I took goods to at the direction and instance of Ruben Cohen, during the two weeks preceding his failure as aforesaid, were the following:

A secondhand clothing store on 7th Avenue between 27th and 28th streets; a cap manufacturer in Lispenard St. where I took velvet in bundles and cases of clothing; a third floor on Monroe Street, where I took bundles and braid; this was above a clothing makers store; the third floor was used not as a business place, but as a residence; I also took there thirty bundles of cut goods, also long ulsters and bundles and a case of ulsters; I opened the case in the hall, and the people in the house carried the contents upstairs. I also took goods to a low shanty in Crosby St.; left them on the stoop; the place was occupied by a cap maker. I took there two cases and three big bundles tied up in canvass.

I also took goods to the first floor of 59 Bleecker Street; I went there about four or five times a day sometimes on many occasions: I also carried goods to various freight depots, marked for places out of town: I carried goods marked for Charleston, South Carolina, and to the Charleston Steamer. Cases marked Louisville, Kentucky to Pier Two, North River; also cases marked for Philadelphia, Pennsylvania and Richmond, Virginia, and Elizabethport, New Jersey, I took to the proper freight depots.

On Friday when the Sheriff took possession of the place No. 161 Division Street, was the last time that I took goods for Ruben Cohen; after the failure, I carried no goods.

0377

Rueben Cohen's clerk, a boy about 18 years of age,
whom I am told is named Mark Cohen, road with me on the
truck on nearly all occasions.

Sworn to before me this
5th day of January 1893.

E. Sauer

J. W. Cohen
Notary Public
M. F. Co.

0378

~~David L. ...~~

(250)

People's ...
of New York
in company of ...

against
Robert Cohen

David ...
280 Broadway
of Counsel

0379

~~People v. ...~~
People v. ...
New York

(133)

People v. ...
New York
in compliance of ...

against

Robert Cohen

David Levantini

280 B. Broadway
of Counsel

At a Term of the Court of General Sessions of
the City and County of New York, held at
the City of New York, on the 18th day of
September 1893.

P r e s e n t : -

H o n. R u f u s B. C o w i n g,
C i t y J u d g e.

-----x
 :
 T H E P E O P L E, & C. :
 :
 Plaintiff, :
 :
 -against- :
 :
 R E U B E N C O H E N, :
 :
 Defendant. :
 :
 -----x

The motion of the defendant that the indictment be
dismissed, or for such further and other order as may seem
proper, coming on this day to be heard, on hearing Mr. Cohn,
of counsel for the defendant in support of said motion, and
Mr. Bradley, Assistant District Attorney in opposition, I T
I S

O R D E R E D, that the trial of the defendant upon
the indictment herein be set down at Part II of this court
for Monday October 2nd 1893, and that the District Attorney
of the County of New York be ready to proceed with the trial
on that day, without asking for any further adjournment, and
the said District Attorney having stipulated in open court

0381

TO THE CLERK OF THE COURT OF THE CITY AND COUNTY OF NEW YORK
FOR THE DEPARTMENT OF THE CLERK OF THE COURT OF THE CITY AND COUNTY OF NEW YORK

that if the trial of the defendant under this indictment did not proceed on the said October 2nd 1893, that the defendant may be discharged on his own recognizance, and that the bail heretofore given by him be released and discharged, I T I S

FURTHER ORDERED, that if the defendant in this case be not tried in Part II of this court under the indictment herein found January 26th 1893, and said trial do not proceed on October 2nd 1893, ~~that~~ thenceforth and without any further application to the court, the defendant be, and he hereby is discharged on his own recognizance under the indictment herein, and that the bail heretofore given by the said defendant on the said indictment be, and the same hereby is discharged and exonerated.

for RBC
ET

Consented to as to form

Thomas Braden
Deputy

Let the foregoing order be carried out there being no more to try the writ as stipulated
Dated Oct 10th 1893
RBC
et.

0382

of a term of the Court of General Sessions of

that if the trial of the defendant under this indictment did not proceed on the said October 2nd 1893, that the defendant may be discharged on his own recognizance, and that the bail heretofore given by him be released and discharged, I T I S

FURTHER ORDERED, that if the defendant in this case be not tried in Part II of this court under the indictment herein found January 26th 1893, and said trial do not proceed on October 2nd 1893, ~~that~~ thenceforth and without any further application to the court, the defendant be, and he hereby is discharged on his own recognizance under the indictment herein, and that the bail heretofore given by the said defendant on the said indictment be, and the same hereby is discharged and exonerated.

Consented to as follows

*Thomas [unclear]
Deputy*

*Let the foregoing order be carried out there being no more to try the rest as stipulated
dated Oct 10th 1893 R.P.C.
et.*

0303

ny General Sessions

The people of

vs
Ruben Cohen

Order

GOLDFOGLE & COHN,

Attorneys for *Self*

261 BROADWAY,

NEW YORK CITY

filed 1/19/1898

6

Dec 93

0384

COURT OF GENERAL SESSIONS,
City and County of New York.

-----x
 :
 :
 THE PEOPLE OF THE STATE OF NEW YORK: :
 :
 Plaintiff, :
 :
 -against- :
 :
 RUBIN COHEN, :
 :
 Defendant. :
 :
 :
 -----x

On the indictment heretofore found herein, and on the annexed affidavit, and the proceedings heretofore had herein, let the District Attorney of the County of New York show cause before me at the Court of General Sessions Part I on the day of February 1893 at o'clock in the noon of that day, why the bail under which the defendant is held in this action or proceeding should not be reduced to an amount consistent with the offence charged, and why the defendant should not have such further and other relief in the premises as to the Court may seem proper. Service hereof this day on the District Attorney shall be sufficient.

Dated, New York, February 6th, 1893.

0385

CITY AND COUNTY OF NEW YORK

COURT OF GENERAL SESSIONS

COURT OF GENERAL SESSIONS
CITY AND COUNTY OF NEW YORK.

-----x
 :
 :
 THE PEOPLE OF THE STATE OF NEW YORK:
 :
 Plaintiff, :
 :
 -against- :
 :
 RUBEN COHEN, :
 :
 Defendant. :
 :
 :
 -----x

CITY AND COUNTY OF NEW YORK, SS:-

CHARLES L. COHN, being duly sworn, says:- I am a member of the law firm of Goldfogle & Cohn, who have been retained in this action for the defendant Ruben Cohen. The said ~~defendant~~ ^{defendant} ~~indicted~~ is indicted for an offence alleged to have been committed under Section 587 of the Penal Code, which provides that a person who, with intent to defraud a creditor, or to prevent any of his property from being laid liable for the payment of his debts, or levied upon by an execution or warrant of attachment, removes any of his property, or secretes, assigns, conveys or otherwise disposes of the same is guilty of a misdemeanor.

Deponent further says that even if the defendant is convicted for the offence set forth in the indictment, he could not be convicted of a greater crime than that of misdemeanor, which is punishable ~~xxxxxx~~ by imprisonment in the

0386

-----x
:
CITY AND COUNTY OF NEW YORK
COURT OF GENERAL SESSIONS

penitentiary or County Jail for not more than one year, or by a fine of five hundred dollars, or by both. That the defendant, as I am informed and believe, was arrested on a bench warrant issued after indictment, upon which the said defendant was held to bail ex. parte in the sum of seven thousand and five hundred dollars, which in the opinion of deponent is extraordinarily large in view of the offence set forth in the indictment. The defendant is actually confined in the City Prison unable to furnish such a large amount of bail.

WHEREFORE, deponent asks for an order to show cause returnable immediately requiring the District Attorney to show cause why the defendant's bail under said indictment should not be reduced, for which order no previous application has been made.

Sworn to before me this:
6th day of Feb., 1893. :

[Handwritten signature]

[Handwritten signatures: Edward Metzger, Henry R. ...]

0387

Court of General Sessions
New York County.

The People of the State of New York,

— against —
Arthur Cohen

Affidavit and order of
show-cause to return
bail.

GOLDFOGLE & COHN,
Attorneys for *Della*
261 BROADWAY,
NEW YORK CITY.

0388

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Arthur Rosen

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

of the crime of receiving and disposing of his property, with intent to defraud his creditors, - committed as follows:

Heretofore, to wit: on the twentieth day of September, 1927, the said Arthur Rosen, late of the City and County aforesaid, then being indebted to Isaac Brown, Nathan S. Silver, Shoyet Friedman, Simon Silver and Maximas Sardnes, copartners doing business in and by the firm, name and style of Silver and Sardnes, and owing other persons to the Grand Jury aforesaid indebtedness, in sundry large sums of money, unlawfully did remove from the building and premises the situate known as one hundred and eighty-one Division Street, where the said Arthur Rosen then carried on business as a dealer in clothing, and dispose of, in a manner to the Grand Jury aforesaid indebtedness, retain as his property, to wit: a quantity of clothing and wearing apparel to wit:

particular description thereof, is to the said
 (name of said unknown) of the value of
 five thousand dollars, a quantity
 of cloth (a more particular description thereof
 is to the said (name of said unknown) of
 the value of five thousand dollars, and
 a quantity of linings, trimmings, trims,
 buttons and other articles used for the
 manufacture of clothing, (a more particular
 description whereof is to the said (name of said
 unknown) of the value of five
 thousand dollars, of the goods and personal
 property of him the said Andrew Cohen, with
 intent thereby to defraud the said Israel
 Rosen, Benjamin Sier, Samuel Friedman,
 Simon Sier and various vendors, and the
 said other persons, their several creditors of
 him the said Andrew Cohen, and to prevent the
 said property from being made liable for the
 payment of his debts; 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

Behanym Mehl,

[Signature]

0390

BOX:

508

FOLDER:

4632

DESCRIPTION:

Colclough, John V.

DATE:

01/05/93



4632

0391

Witnesses:

John H. Welsh

says he was 16 in
June 1902

(19)

Filed
Counsel
Plead
1893

THE PEOPLE
vs.
John V. Colclough
LANCEY NICOLL, DISTRICT ATTORNEY
(MISAPPROPRIATION)
(Sections 528 and 537 of the Penal Code.)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Jan 2 - Jan 9, 1893 Foreman.
E. Quinn
Edmund C. Quinn

0393

Police Court—2 District.

1912

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 271 Greenwich Street, aged 66 years.
occupation Jeweller being duly sworn.

John H. Welch

deposes and says, that on the 27 day of November 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in day time, the following property, viz:

Good and lawful
money of the United States to the
amount and value of one hundred
and forty dollars \$140

Sworn to before me, this
1892

[Signature]

Police Justice

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 John Colclough (not a name) Defendant was employed by deponent as an errand boy, and on said date defendant was entrusted with a check on the Irving National Bank, to be cashed at said Bank, and defendant did not return the proceeds of said check, which he collected, but, he, defendant feloniously appropriated and one hundred and forty dollars to his own use.

[Signature]

0394

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question. What is your name?

Answer. *John Colclough*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *U.S. Ireland*

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

Answer. *107 East 21st St - 4 years*

Question. What is your business or profession?

Answer. *Club*

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 have nothing to say
John Colclough*

Taken before me this *22* day of *Aug* 189*4*
A. J. [Signature]
Police Justice.

0395

1847

Sec. 151.

Police Court 2 District.

CITY AND COUNTY } ss. In the name of the People of the State of New York; To the Sheriff of the
OF NEW YORK, } County of New York, or any Marshal or Policeman of the City of New York:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by John H. Walsh of No. 271 Greenwich Street, that on the 23 day of November 1899 at the City of New York, in the County of New York, the following article, to wit:

Good and lawful money of the United States One Hundred and Forty Dollars, the property of Samuel Quinn was taken, stolen and carried away, and as the said Complainant has cause to suspect, and does suspect and believe, by Samuel Quinn

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, (in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 2 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 23 day of November 1899

H. J. White POLICE JUSTICE.

0396

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

John Calverly

guilty thereof. I order that he be held to answer the same, and he be admitted to bail in the sum of *250* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, *Dec 26* 189 *[Signature]* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0397

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John H. Welch
John Caldwell

Offense

2
3
4

Dated, *Dec 26* 189*2*

White Magistrate.

Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ *1000* to answer *Gas*

Cover

W
Carney

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0398

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 V. Colclough

The Grand Jury of the City and County of New York, by this indictment, accuse
John V. Colclough
of the CRIME OF *Grand LARCENY, in the second degree,* committed
as follows:

The said

John V. Colclough

late of the City of New York, in the County of New York aforesaid, on the *23rd*
day of *November* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, being then and there the *clerk*
and servant of one *John W. Welsh*

and as such *clerk and servant* then and there having in his
possession, custody and control certain goods, chattels and personal property of the said

John W. Welsh

the true owner thereof, to wit:

*the sum of one
hundred and forty dollars in money,
lawful money of the United States
of America, and of the value of
one hundred and forty dollars;*

the said *John V. Colclough* afterwards, to wit:
on the *day* and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said *sum of money*

to his own use, with intent to deprive and defraud the said *John W. Welsh*

of the same, and of the use and benefit thereof; and the same goods, chattels and personal
property of the said *John W. Welsh*

did then and there thereby feloniously steal, against the form of the statute in such case
made and provided, and against the peace of the People of the State of New York and their
dignity.

DE LANCEY NICOLL,
District Attorney.

0399

BOX:

508

FOLDER:

4632

DESCRIPTION:

Collette, Charles

DATE:

01/05/93



4632

0400

Witnesses:

Alice Morgan

Annia Alexander

Officer Hoane

(57)

Counsel, *John X*
Filed *John X* day of *August* 1893
Pleads *Not guilty*

17 *Beck* vs. *17*
THE PEOPLE
Grand Larceny, *second* Degree.
(From the Person)
[Sections 228, 237, Penal Code.]

Charles Collette

DR LANCEY NICOLL,
District Attorney.

A TRUE BILL.

J. Cattin

Foreman.
Park 3, January 193
Pleaded Guilty to 2.2.2 deg.

Ed. Hoff

0401

Police Court - 2 - District.

1912

Affidavit - Larceny.

City and County }
of New York, } ss.

Alice Morgan
of No. 51 East Houston Street, aged 27 years.
occupation Housekeeper being duly sworn,

deposes and says, that on the 22 day of December 1891 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in day time, the following property, viz:

a pocket book containing about three dollars and thirty cent in lawful money of the United States \$ 9.50

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 Charles Collette (now here) Deponent was passing through South Fifth Avenue near Bleeker St. carrying the said pocket book in her hand, and her hand partly in the pocket of her jacket, and defendant pulled the hand of deponent out of her pocket, and he pulled the said pocket book out of her hand, and he ran off. The said larceny was committed about the hour of 10 o'clock A.M. and deponent is informed by Annie Alexander now here, that she heard deponent make an outcry at the time of the said larceny, and that immediately thereafter she saw the defendant running away from the place where deponent stood, and the defendant then

Subscribed and sworn to before me this 18th day of 1891
Police Justice

0402

passed near her and she had a
good view of his face, and now recognizes
him fully and she is positive that
defendant is the one who committed
said larceny.

Elise Morgan

Sworn to before me this
30th day of December
1952

[Signature]
Robert J. Fisher

0403

1921

CITY AND COUNTY }
OF NEW YORK, } ss.

Annie Alexander
aged 24 years, occupation Married of No.

59 South 5th Avenue Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Alice Woyan

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

Sworn to before me, this 30th day } Annie Alexander
of Dec 1892 }

[Signature]
Police Justice.

0404

Sec. 198-200.

District Police Court.

City and County of New York, ss:

Charles Collette 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 a 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. Charles Collette

Question. How old are you?

Answer. 17 years

Question. Where were you born?

Answer. New York

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

Answer. 117 Pleasant St 9 years

Question. What is your business or profession?

Answer. None

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

Answer. I am not guilty

Charles Collette.

Taken before me this
day of April 1888

[Signature]

Police Justice.

0405

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

John Doe John Doe John Doe
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, Dec 20 189 John Doe Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0406

Police Court--- 2 District. 7

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Alice Maggus
37 E. Broadway
Charles Orlette

Offense
Larceny
Alm. Person

2
3
4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, Dec 23 1892

White Magistrate.

Carney & Krae Officer.

15 Precinct.

Witness Amie Alexander

No. 53 1/2 Art. St. Street.

No. Street.

No. 1000 to answer Street.

Don

0407

42 Bleeker St.
New York January 9th 1893.
To The District Attorney -

Dear Sir,
It is with great grief that I learned of my son Charles ^{Collette} Hadden's trouble. I am a poor widow toiling daily to support my remaining two children (two little girls) and to make matters worse a fire occurred in the house above me last week and brought down the roof upon ^{me} cutting my head severely, and thereby preventing me from attending to my daily labors. I therefore pray of you to be as light on my ^{trouble} as you can

0408

possibly be under the circumstances
He has been a wayward boy
to me for the past two years,
not aiding me in any way
whatsoever in the support of the
house, still he is my only son
and my heart still yearns towards
him as my offspring and if there
is no possible way of his escape
from prison confinement I beseech
of you to try and give him a
chance of reformation by sending
him to Chunga. If you show
a kindness to me in any severe
and trying moments you will
do an everlasting kindness to a
poor distressed widow. I am in
yours Most Respectfully
Court - Mrs. Braden -

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles Collette

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

Charles Collette

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

The said

Charles Collette,

late of the City of New York, in the County of New York aforesaid, on the *22nd* day of *December*, in the year of our Lord one thousand eight hundred and ninety-*two*, in the *day* time of the said day, at the City and County aforesaid, with force and arms,

the sum of three dollars and thirty cents in money, lawful money of the United States of America and of the value of three dollars and thirty cents, and one pocketbook of the value of fifty cents —

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

De Lancey Nicoll,
District Attorney

04 10

BOX:

508

FOLDER:

4632

DESCRIPTION:

Connelly, John

DATE:

01/26/93



4632

0411

Witnesses:

Officer Monahan

2/8

Counsel,

26 day of *Aug* 1893

Plebs,

Adqually Reg. 3

THE PEOPLE

vs.

John Connelly

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

Transferred to the Court of Special
Sessions for trial and final disposition

Part 2...*Aug 18*...1893

Dr. LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. Cathin

Foreman.

04 12

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

John Connelly

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

The said *John Connelly*

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

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

SECOND COUNT—

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

The said *John Connelly*

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

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

DE LANCEY NICOLL,
District Attorney.

0413

BOX:

508

FOLDER:

4632

DESCRIPTION:

Corson, Thomas

DATE:

01/16/93



4632

04 14

BOX:

508

FOLDER:

4632

DESCRIPTION:

Edgar, Arthur

DATE:

01/16/93



4632

04 15

Witnesses:

Hannah Burns

138

Counsel,

Filed

16 day of

February 1893

Pleads,

THE PEOPLE

Thomas Carson
and
Arthur Edgar

Sworn in the
County of
Section 486, Art. 6, Sec. 530, D.C.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. C. Catlin

Foreman.

Both
Read & signed
Each & mine Ref.

0416

Police Court 5 District.

City and County } ss.:
of New York,

of No. 107 E. 85th Street, aged 42 years,
occupation Keep house being duly sworn

deposes and says, that the premises No. 107 E. 85th Street, 12 Ward

in the City and County aforesaid the said being a five story double
flat house

and which was occupied by deponent as a dwelling house
and in which there was at the time a human being, by name Hannah Burns
this complainant.

were **BURGLARIOUSLY** entered by means of forcibly unlocking the
catch on the window leading from the fire

escape into deponent's kitchen and entering
one apartment with the intent to commit

a felony
on the 4th day of January 1895 in the night time, and the

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

Gold watch & chain diamond stud.
Pearl studs, a quantity of ladies
wearing apparel, a quantity of
gents wearing apparel, pocket book
containing receipts, some dollar, ten
papers &c one brass clock, all of the
value of one thousand dollars.

(\$1,000)

the property of deponent and Gilbert C. Burns deponent
and deponent further says, that she has great cause to believe, and does believe, that the aforesaid

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

Thomas Corson (now here) and one [unclear]

for the reasons following, to wit: that at about the hour

of 10.30 o'clock P.M. January 3rd deponent
locked and securely fastened the doors and

window of deponent's apartment on the 2nd
floor of said premises, and at about the

hour of 3 o'clock A.M. January 4th
deponent saw this defendant in the act of

slipping out of deponent's parlor in said
premises. deponent discerned that her apartment

0417

had been entered as aforesaid. and all of said property taken therefrom. Dependent is informed by Detective Charles F. Farley, that this defendant admitted to him that he, the defendant, and one Reynolds and one Guy had planned this burglary and that Reynolds and Guy had entered said premises and had stolen said property dependent is further informed by the said Farley that he Farley found a quantity of ladies & gents wearing apparel and a brass clock in the cellar in said premises which are occupied by the family of this defendant who live in the same house with this complainant. Dependent further says that she has since seen the property found in said cellar and identifies it as a portion of the property mentioned in this affidavit. Wherefore dependent charges this defendant and with Reynolds and Guy such as entered into this burglary and entering said premises as aforesaid and stealing said property therefrom.

Sworn to before me
 this 10th day of Jan 1893
 John P. Boockis
 Police Justice

I have admitted the above named
 to bail to answer by the undertaking hereto annexed.
 Dated 1893
 There being no sufficient cause to believe the within named
 guilty of the offence mentioned, I order he to be discharged
 Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named
 guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
 Hundred Dollars
 and be committed to the Warden and Keeper of the City Prison
 of the City of New York, until he give such bail.
 Dated 1893
 Police Justice

Police Court, District, _____

THE PEOPLE, vs.,
 on the complaint of _____

1 _____
 2 _____
 3 _____
 4 _____

Offence—BURGLARY.

Dated _____ 1893

Magistrate, _____

Officer, _____

Clerk, _____

Witness, _____

No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

\$ _____ to answer General Sessions.

04 18

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

Charles F. Farley
aged _____ years, occupation *Police Officer* of No.

27th West 100th Street, being duly sworn, deposes and

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

Sworn to before me, this

day of

January }
189*7* }

Charles F. Farley

John P. ...
Police Justice.

04 19

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss:

Thomas Corson

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 h; that the statement is designed to enable h if he sees 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.

Thomas Corson

Question. How old are you?

Answer.

16 years

Question. Where were you born?

Answer

New York

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

Answer.

157 East 85th. Four years

Question. What is your business or profession?

Answer.

Plumber's helper.

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

Answer.

I am not guilty.

Thomas Corson.

Taken before me this

May 9 1893

John B. ...

Police Justice.

0420

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, *January 7* 189*3*. *John Bellonchio* Police Justice.

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

Dated, 189..... Police Justice.

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

Dated, 189..... Police Justice.

0421

Police Court--- 5th District. 44¹³³⁴

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wannah Burns
207 East 15th
Thomas Corson

W. J. Farley
Magistrate

2
3
4

Dated, January 7th 1893
Worhies Magistrate.
Farley Officer.
27th Precinct.

Witnesses
No. _____ Street.
No. _____ Street.
No. _____ Street.

\$ 1000 to answer J. J. Farley

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

0422

No. 6.

53-8-07 (B)

Court of General Sessions.
CLERK'S OFFICE.

PEOPLE

vs.

I desire to examine
the

in the above-entitled action.

Dated 190

Name

Address

Please ask for this slip when you return
the above papers.

(OVER)

0423

Police Court 5 District.

City and County } ss.:
of New York,

of No. 107 E 85th Street, aged 42 years,
occupation keep house being duly sworn

deposes and says, that the premises No. 107 E 85th Street, 13th Ward
in the City and County aforesaid the said being a five story double

flat house
and which was occupied by deponent as a dwelling house
and in which there was at the time a human being, by name Hannah

Burns
were BURGLARIOUSLY entered by means of forcibly unlocking the

catch in the window leading from the
fire escape into deponent's kitchen and
entering said apartment with the intent
to commit a felony

on the 4th day of January 1893 in the Night time, and the
following property feloniously taken, stolen, and carried away, viz:

Gold watch & chain diamond stud
pearl studs a quantity of ladies and
gents wearing apparel. Pocket book
Containing security some dollar
papers &c. and one brass clock all
of the value of one thousand dollars
(\$1,000)

the property of
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

Arthur Edge (now here) and Thomas Corson
who was held to answer January 7th 1893.

for the reasons following, to wit: that at about the hour of
10.30 o'clock P.M. January 3rd deponent
locked and securely fastened the doors and
windows of deponent's apartment which is the
2nd flat of said premises. and at about the
hour of 3 o'clock A.M. January 4 deponent
saw the said Thomas Corson in the act of
running out of deponent's parlor in said
premises. deponent thereafter discovered that

0424

her apartment, had been entered as aforesaid and all of said property had been taken therefrom.

Deponent is informed by Detective Charles F. Farley that he Farley found the brass clock and the ladies and gents wearing apparel in the cellar in said premises which are occupied and used by the said Thomas Corson family, and that the defendant Edgar admitted and confessed to him that he and Corson had committed this burglary and told him when he had disposed of the watch chain and other jewelry.

Wherefore deponent charges this defendant Edgar and the said Corson with being together and acting in concert with each other and burglariously entering said premises as aforesaid and stealing said property therefrom.

Sworn to before me }
this 9th day of July 1893 } W. Carroll Jones

Dated _____ 188_____ Police Justice

guilty of the offense mentioned in the order to be discharged.

There being no sufficient cause to believe the within named

Dated _____ 188_____ Police Justice

I have admitted the above named

to bail to answer by the undertaking hereunto annexed.

Dated _____ 188_____ Police Justice

of the City of New York, until he give such bail.

I 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

committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, _____ District

THE PEOPLE, &c.,
on the complaint of

1 _____
2 _____
3 _____
4 _____

Offence—BURGLARY.

Dated _____ 188_____ Magistrate.

_____ Officer.

_____ Clerk.

Witness, _____

No. _____ Street,

No. _____ Street,

No. _____ Street,

\$ _____ to answer General Sessions.

0425

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

Charles F. Farley
aged _____ years, occupation *Police Officer* of No. *27th Precinct Police* Street, being duly sworn, deposes and

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

Sworn to before me, this *9* day of *June* 189*3* } *Charles F. Farley*

Overmeyer
Police Justice.

0426

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss:

Arthur Edgar

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

Question. What is your name?

Answer. *Arthur Edgar*

Question. How old are you?

Answer. *16 years old*

Question. Where were you born?

Answer. *New York City*

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

Answer. *158 E. 56 St. N.Y. 1 year*

Question. What is your business or profession?

Answer. *Salesman*

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
Arthur Edgar

Taken before me this

John J. [Signature]
189 [Signature]
Police Justice

0427

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.....

Alfredant

..... 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, January 189.....

[Signature] Police Justice.

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

Dated,..... 189.....

..... Police Justice.

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

Dated,..... 189.....

..... Police Justice.

0428

44
1894

Police Court--- 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Harrah Barnes
107 7th St. East of 5th
Arthur Edger

Offense
Barney

2
3
4

BAILED,
No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated, *July 9* 189 *3*
Charles Magistrate.
Furley Officer.

Witnesses *Chris Mc Furley* Precinct.
No. *27* Street.

No. _____ Street.
No. _____ Street.

No. _____ Street.
\$ *1,000* to answer *J.S.*
CM

0429

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Rowan and Arthur Edgar

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

Thomas Rowan and Arthur Edgar

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

The said Thomas Rowan and Arthur Edgar, both

late of the South Ward of the City of New York, in the County of New York aforesaid, on the fourth day of January, in the year of our Lord one thousand eight hundred and ninety-three, in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of one Robert C. Burns,

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

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

the said Thomas Rowan and Arthur Edgar, and each of them, being then and there assisted by a confederate, actually present, to wit: each by the other, and also by divers other persons to the Grand Jury aforesaid as yet 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

Thomas Connon and Arthur Edger —
of the CRIME OF *Grand* LARCENY in the first degree, committed as follows:

The said *Thomas Connon and Arthur Edger* —

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,

one watch of the value of two hundred and fifty dollars, one chain of the value of fifty dollars, one diamond stud of the value of two hundred and fifty dollars, one piece article of clothing and wearing apparel, of a quantity and description to the Grand Jury aforesaid unknown, of the value of four hundred dollars, and the sum of seventy seven dollars in money, lawful money of the United States of America, and of the value seventy seven dollars, and one clock of the value of twenty dollars,

of the goods, chattels and personal property of one *Albert C. Burns*. —

in the dwelling house of the said *Albert C. Burns*. —

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

THIRD COUNT:

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

Thomas Conson and Arthur Edgar —

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

The said *Thomas Conson and Arthur Edgar, 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, with force and arms,

the same goods, chattels and personal property described in the second count of this indictment,

of the goods, chattels and personal property of one *Gilbert C. Burns* —

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

unlawfully and unjustly did feloniously receive and have; the said *Thomas Conson and Arthur Edgar* —

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

DE LANCEY NICOLL,

District Attorney.

0432

BOX:

508

FOLDER:

4632

DESCRIPTION:

Cruikshank, James

DATE:

01/20/93



4632

0433

Witnesses:

Geo Fischer
Robert Thannon

The officer & the officers of the
dist city office have made
numerous attempts to find the
complainant in this case. They
cannot find him. (See offer
filed herewith) There seems to
have been a general fight
in which the complainant
was cut.

I recommend defendant
discharge on his own recognizance
Mch 27/93.

Samuel M. Stans,
Clerk

1893
Counsel
Filed
Plends,

day of January 1893
August 1890

THE PEOPLE

vs.
B

James Crumshank

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

Dr LANCEY NICOLL,
District Attorney.

Mch 9. Part 2. Ind.
Mch 13. M.D.
A TRUE BILL.

J. Catlin
Foreman.

March 27/93 Mch Part 2.
Part 2 - March 27/93
On motion of Dist. Attorney
def. discharged on his
verbal recognizance

0434

Court of General Sessions.

THE PEOPLE

vs.

James Crickshank

City and County of New York, ss:

James W. Trainor being duly sworn, deposes and says. I am a Police Officer attached to the *Detective Bureau* in the City of New York. On the *22nd* day of *March*, 189*3*. I called at *462 - 8th Ave.*

the alleged *residence* of *Patrick Carroll* the complainant herein, to serve him with the annexed subpoena, and was informed by the people residing in the front and also in the rear house at the above address that the said *Patrick Carroll* is unknown to anyone living in the said house.

Sworn to before me, this *24th* day of *March*, 189*3*

John J. Buckley
Com. f. Deeds. N.Y. Co.

James W. Trainor

0435

Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

James Cruickshank Offense:

JOHN R. FELLOWS,
District Attorney.

Affidavit of Police Officer

James T. Travis
Detective Bureau Precinct.

Failure to find Witness

0436

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 Geo. Fisher
of No. 284 E Houston Street.

Ask to see Mr. Davis
at 11 o'clock

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 13th day of 11 at half-past ten o'clock 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

James Crinkshaw

Dated at the City of New York, the first Monday of in the year of our Lord, 1893

DE LANCEY NICOLI, District Attorney.

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 Patrick Carroll
of No. 462 8th Ave Street.

Ask to see Mr. Davis
at 11 o'clock

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 11th day of 11 at half-past ten o'clock 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

James Crinkshaw

Dated at the City of New York, the first Monday of in the year of our Lord, 1893

DE LANCEY NICOLI, District Attorney.

0437

1703

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

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

To Patrick Carroll

of No. 46 W. 8 Ave 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 3 day of 10/24 189 3 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

James Crinkshank

Dated at the City of New York, the first Monday of 3 in the year of our Lord 189 3

DE LANCEY NICOLL, District Attorney.

PART II.

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING THE PARK.
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.]

0438

Police Court H District.

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

of No. 462 - 8th Avenue Street, aged 39 years,
occupation Coachman being duly sworn

deposes and says, that on 30 day of November 1887, at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by James
Crowshaw (name here); who cut and stabbed
deponent once in the face, once in the
left side of the head and once in the left
arm with a knife, which he, deponent,
then and there held in his hand.

Deponent further says that such
assault was committed

[Large handwritten scribble or signature area]

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 22 day
of December 1887

Patrick Carroll

Charles N. Linton Police Justice.

0439

Sec. 192.

H

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Charles A. Tainter a Police Justice
of the City of New York, charging James Cruskshank Defendant with
the offence of Assault

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

We, James Cruskshank Defendant of No. _____

and Bernard Flood Street; by occupation a _____ of No. 10 West Third Street

Street, by occupation a Merchant Surety, hereby jointly and severally undertake
that the above named James Cruskshank Defendant

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

Taken and acknowledged before me, this _____

day of Dec

1895

Charles A. Tainter POLICE JUSTICE.

James Cruskshank
Bernard Flood

0440

CITY AND COUNTY }
OF NEW YORK, } ss.

Sworn to before me this
day of July 1897
Charles J. Santafel
Police Justice.

Bernard Flood
the within named Bail and Surety being duly sworn, says, that he is a resident and house
holder within the said County and State, and is worth Five Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,
and that his property consists of stock and fixtures of liquor
store situate at No. 1064 Third Avenue
of the value of Five thousand dollars
for and Oscar Bernard Flood

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.
Undertaking to appear
during the Examination.

Taken the day of 18

Justice.

0441

Presbyterian Hospital,

70th ST. and MADISON AVE.,

C. IRVING FISHER, M. D.,
SUPERINTENDENT.

New York, Dec. 1, 1892

This is to certify that Patrick Carroll was admitted to the Presbyterian Hospital November 30th, suffering from Incised Wound of Face Scalp Wound, and Fracture outer table of Skull. His condition is not serious, and he will probably be ready for discharge in about a week.

*Pedro H. Francke,
House Surgeon
M.D.*

0442

PRESBYTERIAN HOSPITAL,

70th Street and Madison Avenue,

C. IRVING FISHER, M. D.,
Superintendent.

New York, 189

This is to Certify, that
a patient in this Hospital, is suffering from *Scalp wound*
lacerated wound face chipping of bone
unable to eat & find comfort
..... condition is improved, and he is *not* in a dangerous condition.

P. H. Frauch
House Surgeon

..... A. P. M.

0443

1852

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 4 DISTRICT.

Gustave Gelderman

of No. 251 Precinct Police, aged _____ years, occupation: police officer being duly sworn, deposes and says that on the 30 day of November 1892 at the City of New York, in the County of New York, he arrested

James Cruikshank (now here) on a charge of assault preferred by one Patrick Carroll of No. 533 Third Avenue who accused said Cruikshank of stabbing him on the head and face with a knife which said Cruikshank then and then held in his hand. That said Carroll is now confined in the Presbyterian Hospital as the result of the injuries thus received and deposes from that defendant may be dealt with as the law directs
Gustave Gelderman

Sworn to before me, this

of Dec 1892

day

Charles W. Hantzer, Police Justice

0444

200
Police Court, *X* District.

THE PEOPLE, Etc.,

ON THE COMPLAINT OF

vs.

James Cruikshank

AFFIDAVIT.

Edwards

*Committed without bail
to await inquiry
C.M.A.
\$500- bail. out.*

Dated *Dec. 1* 189*2*

Tainter Magistrate.

Edwards Officer.
Es

Witness

Disposition

*Guilty for C.M.A.
Es Dec 22-2PM*

0445

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

James Crickshaw 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. *James Crickshaw*

Question. How old are you?

Answer. *39 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *630 East 165th St 2 years*

Question. What is your business or profession?

Answer. *Coachman*

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 Crickshaw

Taken before me this *7th* day of *July* 188*7*
Charles W. Denton

Police Justice.

0446

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

Alfred...

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

Dated, Dec 27 189 Charles N. Fairbanks Police Justice.

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

Dated, Dec 27 189 Charles N. Fairbanks Police Justice.

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

Dated, Dec 27 189 Charles N. Fairbanks Police Justice.

0447

200

1606

Police Court--- 4 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Patk. Campbell
49 W. 8th Ave
Geo. Crumshaw

John J. ...
1894

2
3
4

BAILED,

No. 1, by *Bernard Hood*
Residence *1064 3rd Street*

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated, *Dec 22* 189

Walter Magistrate.
Gilderman Officer.

25 Precinct.

Witnesses *Robert Trainor*
No. *307 East 61st* Street.

Leo Fischer
No. *284 East Houston* Street.

Dr. ...
Pres. Hospital

No. *1000* Street.

\$ *1000* to answer

Prints

0448

District Attorney's Office. 1690

Officer Gilderman
will let me
know as to
Complainants'
whereabouts
on 23rd March '93

0449

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Corrickshaw

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

James Corrickshaw

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

The said James Corrickshaw

late of the City of New York, in the County of New York aforesaid, on the thirtieth day of November in the year of our Lord one thousand eight hundred and ninety-two, with force and arms, at the City and County aforesaid, in and upon the body of one Patrick Carroll in the peace of the said People then and there being, feloniously did make an assault, and with the said Patrick Carroll with a certain knife

which the said James Corrickshaw 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 strike, beat, cut, stab and wound,

with intent to kill the said Patrick Carroll 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

James Corrickshaw

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

The said James Corrickshaw

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 Patrick Carroll in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and with the said Patrick Carroll with a certain knife

which the said James Corrickshaw in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, 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.

THIRD COUNT—

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

James Cronkshank

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

The said *James Cronkshank*

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 said *Patrick Carroll* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *upon* the said with a certain *knife* *Patrick Carroll*

which *he* the said *James Cronkshank* in *his* right hand then and there had and held, in and upon the *head, face and arms* of *him* the said *Patrick Carroll* then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, ~~bruise~~ and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

Patrick Carroll

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

DE LANCEY NICOLL,
District Attorney.

0451

BOX:

508

FOLDER:

4632

DESCRIPTION:

Culligan, Edward

DATE:

01/09/93



4632

0453

Court of General Sessions of the Peace

491

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward Culligan

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

Edward Culligan

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

The said Edward Culligan,

late of the City of New York, in the County of New York aforesaid, on the 25th day of December, in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, in and upon the body of one Mary J. Gillen, in the peace of the said People then and there being, with force and arms, unlawfully did make an assault, and her the said Mary J. Gillen did then and there unlawfully beat, wound and illtreat, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL, District Attorney.

0454

Witnesses: *Murphy*
Charles H. Callahan
520 E. 13th
May A. Powell
W. Conway
May S. Gillen

31st June 1893

82
Counsel,
Filed *[Signature]*
day of *June* 1893
Pleads, *Not guilty & Pleas*

THE PEOPLE

vs.

Assault in the Third Degree.
(Section 219, Penal Code.)

Edward Culligan
(Beane)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

J. Cathin
Foreman.

0455

-----x
The People &c., on the Complaint :
of Mary A. Powell, :
against :
Edward Culligan. :

-----x
City and County of New York

Mary A. Powell, being first duly sworn, deposes and says: I reside at No.522 East 13th Street in the City of New York. On the evening of December 25th,1892, between the hours of Eight and Nine O'Clock I was in my kitchen which is located on the second floor of the rear building at above number, when the defendant Edward Culligan entered the door of said kitchen which is the entrance to my apartment, and commenced at once to use the most vile and indecent language to me. I told him to get out. He then struck me on the nose making it bleed profusely, and made a kick at me. I went to the kitchen window and called to my sister and defendant's brother to come and take him out. He then took the water kettle from the stove and threw it at me. I dropped on my knees and missed it, he then caught hold of me and dragged me over the floor, having a pocket knife in his hand at the time. I worked my way to the closet he still holding on to me, and got a potato masher in my hand, and tried to beat him off- I struck him with it, got away from him and out of the door thinking to escape. I got out into the hallway, he following me up. I got down the first flight of stairs to a landing, when he seized me

0456

2

again and threw me down the other flight of stairs to the floor of the hallway, and jumped on me, I being prostrate. He put his fingers in my mouth and tried to tear my mouth, and I closed my teeth on them. The inside of my mouth was lacerated. I felt his hand in the region of the left outside upper pocket of a jacket I had on, and thought he was trying to put the knife in my heart. In that pocket I had two pocket-books, a large and a small one. In the little one I had a \$5.00 bill and in the large one a \$100. bill, which latter I afterward missed. I was lying flat on my stomach when a Mrs. Gillen who lives in the front house, ran in and cried out to defendant, to let me alone. He kicked her and knocked her down, she got up and he ran after her- whilst this was going on, I got away, ran up to third floor of premises where I lived, and whilst there, he, defendant, went in to my room and took a fox terrier dog of mine, which I value at \$100. which dog ~~I have not since seen.~~ *I have not yet recovered.*

Upon examining my body I found two cuts on my right wrist, and found my arms and other portions of my body bruised and discolored. My eyes got very black and face discolored from his blows. My jacket was buttoned, and he tore away the buttons that were on it.

Subscribed and Sworn to before me this :

3rd day of January, 1893.

Mary A. Powell

W. S. Cronin
Notary Public
N.Y.C.
(209)

0457

The People

vs

Edward Bulligan

State of New York }
County of New York } ss

James Conway being
first duly sworn deposes and
says: I am residing at No. 122 West
32nd Street in the City of New York.
I have worked around the house
of the complainant sometimes;
On the night of December 25th 1892
between 8 and 9 o'clock I was
sitting in the complainant's kitchen
and at No. 522 East 13th Street,
when the door opened and
the defendant and another man
came in, the complainant said
at once to defendant, she wanted
him to go out, he would not go,
she then went to the window to see
across to her brother in law,
the defendant went at her
picked up a water kettle from
the stove, and struck at com-
plainant, the kettle slipped out
his hand and went through the
window, on to the fire escape. I
then saw him seize her, and when
they were scuffling, and she was

0458

ing her way to the door. I saw
a potato masher in her hand,
with which she was defending
herself. There was an oil
lamp on the table and firing
in the scuffle they moved up.
see the table and lamp. I
took up the lamp and held
it. The complainant marked
her way to the door, got out and
defendant followed her.

James Conway

Subscribed and sworn
to before me this 5th day
of January 1893.

W. E. Cronin
Notary Public
W. E.

0459

The People vs
against

James Bulligan

State of New York
County of New York 1892

Mary E. Gieck being
Duly Sworn deposes and says
On the night of December 25th
1892 between 8 and 9 o'clock
I was in my room on second
floor front building known as
No 522 East 13th Street, which
room looks out on to second
building of that number. I was
undressed and was getting
into bed, when I heard quite
a noise coming from the
rear building. I pressed down
my window from the top, and
looked over into the window
of the room occupied by Mrs
Mary A. Pounce, the complainant
in this matter. She has her window
open, and I saw her, and lamp

0460

her screaming for help, and
heard her say get out of my
house before I will murder
me. I saw Mrs Pawnee scuf-
fling with a man, and saw
down stairs in my bare feet
crossed the area into the back
way of rear building, where
I saw Mrs Pawnee prostrate
on the floor and the defend-
ant kneeling standing over
her, pounding her and she
crying for God's sake to let her
go, and saying You know I have
always taken your part. I
went up to him and begged
him to let her alone, I did
this twice, he then seized me
and threw me down on my
back violently with an oath.
My arm is very much bruised
and sore yet. I have always
known the defendant as a
drunken loaf.

I have known Mrs Pawnee for
about twelve years, and have
always known her to be a
kind, respectable woman of ex-
cellent character.

Subscribed and sworn
to before me this 5th day
of January 1893.

Mary E Gillin

J. J. Brown
(209) Notary Public N.S.W.

0461

No

5

1/2

0462

ordered

DISTRICT ATTORNEY'S OFFICE.

City and County of New York.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary A. Powell
540, E. 86 U.S. *522 & 13*
Edward Culligan

*Offence Robbery, assault
and larceny*

Dated *January 5* 18*93*

Witnesses, *James Conway*
of his stays
No. *157 East 37th* Street,
Cor ave 13th & 13th St.
Mary L. Gillan

No. *522 East 13th* Street,

No. _____ Street,

0463

COUNTY OF NEW YORK, ss.:

1427

In the Name of the People of the State of New York, To any Sheriff, Constable,
Marshal or Policeman in this State, GREETING:

Three ~~an~~ indictments having been found on the 9th day of January
1893, in the Court of General Sessions of the Peace of the County of
New York, charging Edward Culligan

with the crimes of Robbery in first degree, Grand Larceny
in first degree and Assault in third degree

You are therefore Commanded forthwith to arrest the above named
Edward Culligan and bring him before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the
City Prison of the City of New York.

City of New York, the 9th day of January 1893
By order of the Court,

John F. Carroll
Clerk of Court.

0464

New York General Sessions of the Peace.

THE PEOPLE
OF THE STATE OF NEW YORK,
against

Edward Sullivan

BENCH WARRANT FOR FELONY.

Issued *January 9th 1893*

.....189
The within named defendant was
arrested this day and brought
Court of General Sessions:

The officer executing this process will
make his return to the Court forthwith.

0465

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 Sullivan

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

Edward Sullivan

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

The said Edward Sullivan,

late of the 14th Ward of the City of New York, in the County of New York aforesaid, on the 25th day of December, in the year of our Lord one thousand eight hundred and ninety-two, in the night time of the same day, at the Ward, City and County aforesaid, with force and arms,

one dog of the value of
one hundred dollars,

of the goods, chattels and personal property of one Mary A. Powell,

in the dwelling house of the said Mary A. Powell,

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

John J. Meale,
District Attorney

0466

Witnesses:

Man A. Powell

W. Conner

Man E. Hillen

Handwritten signature
Counsel

Filed

Day of *May* 189 *3*

Plends

Handwritten signature

THE PEOPLE

vs.

Handwritten symbol

Handwritten symbol

Grand Larceny, First Degree,
(DWELLING HOUSE)
[Sections 825, 83 of Penal Code.]

Edward Culligan
(Defendant)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Handwritten signature

Foreman.

0467

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 Sullivan

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

Edward Sullivan

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

The said Edward Sullivan,

late of the City of New York, in the County of New York aforesaid, on the 25th day of December, in the year of our Lord one thousand eight hundred and ninety-two, in the night time of the said day, at the City and County aforesaid, with force and arms, in and upon one Mary A. Powell, 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, of the kind commonly called United States Treasury Notes, of the denomination and value of one hundred dollars; one promissory note - for the payment of money of the kind commonly called Bank Notes, of the denomination and value of one hundred dollars; one United States Gold Certificate, of the denomination and value of one hundred dollars; and one United States Silver Certificate, of the denomination and value of one hundred dollars;

of the goods, chattels and personal property of the said Mary A. Powell, from the person of the said Mary A. Powell, against the will and by violence to the person of the said Mary A. Powell, then and there violently and feloniously did rob, steal, take and carry away, the said Edward Sullivan being then and there armed with a certain knife, the same being a deadly dangerous weapon,

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

De Lancey M. Hill, District Attorney

0468

BOX:

508

FOLDER:

4632

DESCRIPTION:

Cunes, Ralph

DATE:

01/16/93



4632

0469

Witnesses:

J. Bandurda

Counsel,

Filed

day of *Jan*

189*3*

Pleas,

Alzuley

THE PEOPLE

(Sections 217 and 218, Penal Code.)

23 *minors*

28 *labor* *P*

Ralph Cuneo

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

L. Sattin
Foreman.
Part 3, March 19*3*

Fried and Conkitch

assault & def 3

S.P. 5/115

W. J. ...

(114)

**POOR QUALITY
ORIGINAL**

0470

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

The People,

vs.

RALPH CUNEO.

"

"

"

"

"

"

"

"

Before,

HON. RANDOLPH B. MARTINE,

and a Jury.

Tried MARCH 1ST, 1893.

Indicted for ASSAULT, in the FIRST DEGREE.

Indictment filed JANUARY 16TH, 1893.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY JOHN F. McINTYRE,

For THE PEOPLE.

MR. CHANLER,

For THE DEFENCE.

0471

2

FRANCISCO CARDINALI, THE COMPLAINANT, being duly sworn, testified that he lived at 26 Clark street, and that he was living there on the 24th of December, 1892. He worked in artificial flowers. He knew the defendant, and had known him about a month previous to his arrest. He first met the defendant in a saloon owned by a countryman of his, the complainant's. On the night of the 24th of December, 1892, he met the defendant in the house of a Genoese, in Dominick street, about half-past eight o'clock in the evening. He did not know the name of the man who kept the house; it was a private house; he had known the name of the man, but had forgotten it. The defendant cut him, the complainant, three times -- once on the head, once in the back, and once in the chest. The defendant cut him with a knife. He, the complainant, did not know what kind of a knife the defendant used, but he knew he was cut with a knife. He saw the knife in the defendant's hand, and the knife was open. He did not know why the defendant cut him. He was in the hospital six days, and his wounds were treated there. He subsequently saw the defendant in Jefferson Market Court.

0472

3

He, the complainant, made a complaint to a police officer; blood flowed from his wounds. The cut on his chest was about three inches in length. He, the complainant, went from the saloon of a countryman of his to the house in which he met the defendant. He had drunk several glasses of wine and beer -- about nine or ten glasses. He left the saloon alone. He had been in the saloon about half an hour, having gone there from the factory. He had some drinks before he left the factory, with his meal. At the time he left the saloon, he, the complainant, was not exactly drunk, but he was jolly. After leaving the saloon he went to another man's house, and then he went to the house where he met the defendant. When he, the complainant, entered the house, there were two women there, and a man. The man was in court, but he, the complainant, did not know his name. He did not know the names of any of the three persons who were in the room when he entered. He had known them for about a month, but he did not know their names. He only went to the house to pass an hour. He, the complainant, knocked at the door; the door was opened, and he entered.

0473

4

The defendant was not in the room when he entered. He had been there several times before. When he, the complainant, entered the room, he touched the girl who wore a white hat, on her shoulder; and as soon as he touched her, she began to cry. The girl was not crying before he touched her on the shoulder. He, the complainant, asked the girl what she was crying for. The defendant then entered the room, and said to the girl, "The man that makes you cry had better come down in the yard, I will be the man that can punish him for making the girl cry." He had not seen the defendant up to that time. He, the complainant, had only touched the girl on the shoulder in a friendly way. He said to the defendant that it was none of his business. He had known the defendant before that; he had met the defendant, in the same house, two or three times before, and had spoken to him once or twice. He, the complainant, told the defendant not to meddle in this business, as it was not his business at all, and to sit down; and upon hearing those words the defendant cut him.

In cross-examination the complainant testi-

0474

5

fied that he did not strike the defendant with a chair before the defendant cut him, nor did he knock the defendant down. He, the complainant, threw the defendant on the stove, after he saw blood coming from his wounds. The defendant left the room before him, the complainant. The girl that was crying did not make any complaint to the defendant. He, the complainant, did not call the defendant a bastard, and the defendant did not say anything about him, the complainant, being his, the defendant's, father.

OFFICER JOHN O. SAVERCOOL, being duly sworn, testified that he was attached to the Eighth Police Precinct. He arrested the defendant at 26 Clark street, on the 25th of December, 1892. The complaint was made by a man who called himself a brother of the complainant. When he arrested the defendant, the defendant had a cocked revolver in his hand; the revolver had seven balls in it. In the station house, when he, the witness, searched the defendant he found the knife in evidence in the skirt of the defendant's overcoat --- there was a hole in the pocket, and the knife was down in the skirt of

0475

6

the coat. The defendant did not speak very good English, and he, the witness, could not understand everything the defendant said to him. He took the defendant to the Chambers street Hospital, and had him identified by the complainant; the complainant said, "That's the man that cut me." The complainant said that in broken English, and also in Italian. On the way to the court he, the witness, had a conversation with the defendant. He couldn't understand everything the defendant said. He asked the defendant if that was the knife that he cut the complainant with, and the defendant said he thought it was, because he had only one knife. The defendant also said that the complainant had assaulted him first, and that he did not assault the complainant until after the complainant had assaulted him. No. 23 Clark street was a regular tenement house; a policeman lived on the first floor; the rest of the house was occupied by Italians.

In cross-examination the witness testified that the front and sides of the house were brick, but the back was wood. It was a perfectly respectable

0476

7

house, as far as he knew. He, the witness, did not see any marks or bruises on the defendant. He did not examine the defendant particularly. The defendant did not point out any cuts to him, the witness; but there was a part of the conversation with the defendant that he could not understand.

OFFICER JOHN T. CLARKER, being duly sworn, testified that on the 24th of December he was attached to the Eighth Precinct. He was with Officer Savercool when the defendant was being taken to the Police Court. He, did not see the knife in evidence in the possession of the defendant. He, the witness, had a conversation with the defendant concerning the knife. The defendant spoke in English. He asked the defendant if the knife in evidence was the one with which he had done the cutting, and the defendant said it was the only knife he had, and he thought it was the knife he did the cutting with. The defendant did not have any injuries or cuts on his person that he, the witness, could see.

In cross-examination the witness testified

0477

8

that he did not, however, make any examination of the defendant's person for the purpose of ascertaining whether he had been cut or not.

FOR THE DEFENCE, ANNIE CHLEPARI, being duly sworn, testified, through the official interpreter, that she lived at 49 1/2 Dominick street, and was living there on the 25th of December, 1892. She saw the complainant there on that day. The complainant went into the house between eight and half-past eight o'clock. The complainant kicked the door and broke the door, and went in. She said to the complainant, "What is the matter with you? Are you drunk?" When the complainant was standing in the middle of the room, her, the witness's, sister said to him, "Sit down, take a seat." The complainant said, "You son of a bitch, I don't want to sit down," and he gave her, the witness's sister, a blow in the face. She, the witness, then said to the complainant, "Why did you come up to this house, to kick up such a row?" When she said that the complainant turned and gave her a blow on the face,

0478

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breaking her ear-ring. The complainant said to her, "Before to-night you shall have both your eyes as black as pitch." Her sister then said to the complainant, "For goodness sake, go and call a police officer." Then the complainant said, "You can call evern fifty policemen, I am not afraid of them to-night, this night I am in command of this house." She, the witness, then got ahold of the complainant, and pushed him out of the door, but he immediately went back again. She, the witness, had a silk coat on, and the complainant pulled it off her shoulders. She asked the complainant to return the coat. The complainant said, "No. If you say another word I will put you down and jump on you with my feet." She, the witness, was then afraid, and commenced to cry. There was a little child in the room, and the complainant told the child to leave the room, as he wished to take some room to both her and her sister. She and her sister were crying. At this time the defendant, who was an assistant to her brother, entered the room. The defendant said, "What is the matter with you? What is the reason you are crying?" Then the complainant said to the

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defendant, "It is none of your business;" and the complainant said to her, the witness, "If you want to cry you had better go down to the yard, and cry in the yard; I am commanding this house to-night, you can both of you go out of this house." The defendant then said to the complainant, "You are not so much in command of the house, no more than I am, because I am employed by the brother of these women. The complainant then asked the defendant to leave the room, and the defendant refused to do so. The complainant then gave the defendant a blow, and floored the defendant. The defendant got up again, and asked the complainant to go out of the room. The complainant picked up a chair, and lifted it up. She, the witness, then called to the complainant, "Cicco, be quiet, what are you going to do to-night? Go out." She, the witness, had seen the complainant several times before that. When she saw the complainant lifting up the chair, she was frightened and left the room, and did not know what happened afterwards.

In cross-examination the witness testified that she did not remember when she first met the com-

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plainant; he was a neighbor of hers. He had been to the house two or three times. When he, the complainant, first went to the house, he went alone. She had known the complainant four or five months. The complainant never worked for her brother. She had two brothers and two sisters, and there was a little child. One of her brothers worked as a cook, at the Five Points, and the other had a fruit stand. They all lived at 49 1/2 Dominick street. The complainant had broken the door when he entered, and that was the reason she, the witness, did not lock the door after she shoved the complainant out of the room. Her, the witness's, brother was not present when the complainant threw the defendant on his back. There was a man in the house, but as soon as the row commenced he cleared out. She, the witness, ran into a neighbor's apartments, on the same floor. She, the witness, did not see the complainant when he was stabbed; she did not see anything of that kind at all.

In re-direct examination the witness testified that she did not, and could not, speak a word of English.

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In recross-examination the witness testified that she could see. Her, the witness's, brother was in the room when the defendant broke in the door, and when the complainant used the language testified to, and when the complainant struck her sister, and when the complainant broke her ear-ring. Her brother was not in the room when the complainant said that before night she would have both eyes as black as pitch. Her brother went out of the room shortly after the complainant entered. There was another man in the room besides her brother when the complainant, struck her, the witness, and her sister. The other man went away afterwards. The other man made no attempt to protect her, the witness or her sister from receiving the blows. The other man was a friend of her brother's; she had known the man for about three or four months; the man had gone to their house alone; she did not know his name. When she, the witness, went to the court-room she went to tell the truth; and she had been telling the truth. She knew what she did when she kissed the Bible.

0482

MARIA CHLEPARI, being duly sworn, testified that she lived at 49 1/2 Dominick street. She was the sister of the preceding witness. About half-past eight o'clock in the evening, on the 24th of December, 1892, she, the witness, heard a knock on the door, and asked her sister who was outside. Then the door was broken open and her sister said, "Here is Ciceo." When he went in her sister said, "Sit down on the chair. You are drunk." Instead of sitting on the chair, the complainant laid down on her, the witness's, sister's bed. Her sister said, "Maria, see what he is doing." She, the witness, said, "in a loving way," "Throw him out of the window." When she said that the complainant gave her a blow on the breast, and said, "You are a son of a bitch, because you have married a Neapolitan." She, the witness, was the wife of a Neapolitan. When the defendant said that, her, the witness's, sister said, "Tell him it is none of his business, your marrying a Neapolitan." The complainant then gave her sister a blow on the side of the face. Her, the witness's, sister then caught a hold of the complainant, and said, "I will call a policeman and

0483

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shall have you arrested." The complainant said, "You are not boss of this house." Her, the witness's, brother was there all the time, and had seen all that happened. The complainant turned to her brother and said, "I will pay you fifty dollars to let me be the boss of this house to-night." She, the witness, then told the complainant to be quiet, and he was quiet for a short time. After that her, the witness's, sister went up to the defendant and caught ahold of him and shoved him out of the room. Her brother remonstrated with the complainant, and the complainant said, "I am doing this in a joke; I don't mean anything." Her brother then left the room, leaving the complainant there. The defendant entered the room shortly afterwards, and her, the witness's, sister was crying. The defendant asked her why she was crying. The complainant said, "It is none of your business. The defendant said, "Certainly, I am helping the brother at the stand, and it is my business to know why the girl is crying." The defendant then took his pipe, lit it, and sat down. Her, the witness's, sister continued to cry. Then the complainant said to her

0484

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sister, "You are a stupid girl to keep on crying like that; you had better go down into the yard, and cry there." Then the defendant said, "It is more stupid the man that says such things than the party who is crying." While all this was happening there was another man in the room, whom she, the witness, had seen before, but she did not know his name. The complainant then said to the man, "You will be the judge, if I am wrong or not, in this business, what has happened in this room here." The complainant and the man commenced to talk, but she, the witness, did not hear what they said. After they had talked, she, the witness, saw the complainant give the defendant a blow, and the defendant fell. She saw the defendant on the floor, with the complainant on top of him. Then the complainant said, "You have wounded me." Then they got up and went to the door. When the complainant was near the door, he said, again, "You have wounded me." The complainant then said, to the defendant, "Get out of this, you ought not to have wounded me." The wounded man then commenced taking off his coat, and she, the witness, went away.

0485

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In cross-examination the witness testified that she did not live with her husband; she lived with her brother. Her husband lived with his mother. She and her husband had been separated one year. She had been in this country six years. She, the witness, first saw the complainant after the arrival of her sister, eight or nine months before the trial. The complainant called at the house, to see her sister. She, the witness, saw the complainant in the house four or five times; she couldn't say how many times he had been there, because she returned from her work late; she worked at candy. The strange man who was present went to the house with her, the witness's, brother. Her brother was not present at the time the defendant was thrown on the floor.

STEPHEN CHIEPARI, being duly sworn, testified, through the official interpreter, that he was the brother of the preceding witness. He lived at 49 1/2 Dominick street, and was living there on the 24th of December, 1892. On that night the complainant went to his house, about half-past eight o'clock in the evening, while he, the wit-

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ness was in the house. He did not know whether the complainant was drunk or sober. The defendant knocked on the door, and then pushed the door and entered the room. He did not break the door. He, the witness, said to the complainant, "What is the matter with you, are you drunk?" The complainant said, "I want to have a row with somebody to-night." The complainant then threw himself upon the bed. At that time there was a friend of his, the witness's, in the room, and also his two sisters. He, the witness, did not know the name of his friend; he had never asked him for his name. His sister, Maria, said to his other sister, Annie, referring to the complainant, "Throw him out of the balcony." The complainant then got up from the bed and gave Maria a blow, saying, "You son of a bitch, go to your Neapolitan." He, the witness, then went up to the complainant and said, "If you don't keep quiet, and behave yourself, I will throw you out of this house." The complainant then hit his, the witness's, sister, Annie. He, the witness, caught the complainant by the arm, and said, "Cicco, what is the matter, what are you doing to-night?" The complainant

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said, "I own this house, I have paid the rent, and if you like you can get twenty-five policemen, and you will find that they will not be able to turn me out of the house. The complainant then said that he gave the blows to his, the witness's, sisters just for fun. After the complainant said that he, the witness, left the house. When he left the house everything was quiet. He, the witness, went to his stand, to look after his business. The defendant had been at his, the witness's, stand looking after the business.

In cross-examination the witness testified that the complainant had not paid the rent; he, the witness, paid the rent. He had seen the complainant in the house three or four times. When the complainant struck his sister, he, the witness, said to the complainant, "Be quiet," and caught hold of the complainant's arm. The complainant did not strike the girl very hard, but he broke her ear-ring. He, the witness, believed the complainant when the complainant said that he only hit the girls in fun. When he, the witness, left the room, his friend, whose name he did not know, was still in the room. The defendant was a

0488

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very good friend of his, the witness's.

RAPHAEL CUNEO, THE DEFENDANT, being duly sworn, testified, through the official interpreter, that he came from the Province of Genoa.. He had been in this country three years. He remember the 24th of December, 1892. Stephen Chiopari sent him, the defendant, to his house. When he arrived at the house he took off his top coat, and laid it on the bed. He took out his pipe, filled it, and smoked it. While he was smoking the pipe, he saw one of the girls crying. He asked the girl why she was crying. The girl said that the complainant had hit her. Then the complainant got up and said to him, the defendant, "Is that any business of yours, that this girl is crying?" He, the defendant, said to the complainant, "Yes, it is my business, because I have been sent up to this house by the master of the house. I am not talking to you, but with this girl; if I wanted to address you, I would have addressed you by your name, for I know your name." The complainant said, "You shut up. All you Genoese are a lot of

0489

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bastards." He, the defendant, said, "If we are all bastards, perhaps you are my father." The complainant then gave him a blow in the face, and threw him on the floor. When he, the defendant, got upon his feet again, the complainant took up a chair and hit him on the head with it, and pushed him on the stove. The complainant held him on the stove with one hand, and with the other hand was giving him blows all over the body. When he, the defendant, felt the heat of the stove and the blows that he was receiving, he took out his knife, which he used in cutting bananas at the fruit stand, and wounded the complainant with the knife. The complainant then let go of him, the defendant. He, the defendant, had known the complainant before that time, and had known him to be a quarrelsome and bad man. He, the defendant, was sober at the time, and had only used the knife to defend himself.

In cross-examination the defendant testified that Stephen Chiepari was not in the house at all while he was there. Chiepari did not tell him, the defendant, anything about any trouble at the house;

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Chiepari simply told him to go to his, Chiepari's, house, and warm himself, and then return to the stand. He, the defendant, lived at 28 Clark street. He, the defendant, tried to leave the room, but the complainant pulled him back again and hit him with a chair. The stove fell down when he was thrown on it. While he, the defendant, was lying on the stove, he took his knife out of his back trousers pocket and stabbed the complainant. He gave the complainant the first blow on the chest, and then the complainant turned around and he stabbed the complainant in the back. He, the defendant, was lying on the stove two or three minutes. There was a fire in the stove. He did not know whether his coat had been burned or not, because he did not look at it. He, the defendant, had never been in prison, in this country or in Italy. Before working for Chiepari he, the defendant, had worked for a German of the name of Charley Miller, as a hod carrier. He had never told Charley Miller that he had been convicted of crime. The reason he carried the revolver was because two men had followed him one night, and he was afraid of them. One of the men who

0491

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had followed him was the brother of the complainant, the other man he did not know. When he, the defendant, was arrested, he did not have a revolver in his hand; he had it in his pocket. A few months previous to the trial a friend of his, the defendant's, had met him and presented the revolver to him.

THE COMPLAINANT, being recalled for further cross-examination, testified that he had been once convicted of crime, about six years previous to this trial. He, the complainant, had been drinking, and was fined ten dollars. He had never been fined for assaulting a man.

ANTONIO FIGARI, being duly sworn, testified that he knew the complainant. The complainant's reputation for peace and quiet was bad.

In cross-examination the witness testified that he lived at 81 Sullivan street. He had formerly lived on Long Island. He had been in the fruit business, and had sold out and gone to Europe. He had been in Europe three months. He had lived in

0492

this country eighteen years, and had known the complainant three or four years, by sight and personally. He had had trouble with the complainant, over a glass of beer. That was the only time he had ever had any difficulty with the complainant. He had known the complainant before that. The complainant had once called a man out of his house and gave the man a black eye. The man was going to have the complainant arrested, and the complainant left the country. He, the witness, did not know the defendant, nor any of the defendant's family. The witness Chapieri had told him, the witness, to go to court and swear that the complainant's character was bad. Two weeks previous to the trial the complainant had threatened to "do him up," in a saloon in Thompson street. A dance was in progress, and the complainant had stepped on his, the witness's, foot. He, the witness, objected to that, and the complainant drew a policeman's club and was going to hit everybody around the place. At that time he, the witness, did not have a revolver nor a dirk.

In re-direct examination the witness tes-

tified that three weeks preceding the trial he had been a member of the firm of Figari & Bacigalupo, fruit dealers, in Hempstead, Long Island. He, the witness, had not wanted to go on the stand.

In re-cross examination the witness testified that he did not sell fruit to Chiepari. He, the witness, bought fruit in the market, just as Chiepari did. He sold the fruit at wholesale and retail, in a store.

GUISEPPE TORRI, being duly sworn, testified that he knew the defendant. The defendant's reputation for peace and quiet was good.

In cross-examination the witness testified that he kept a lager beer saloon. The defendant might have been in his saloon three or four times. That was all he knew of the defendant, from the defendant's visits to his saloon.

IN REBUTTAL, FRANCISCO CARDINALI, THE COMPLAINANT, being recalled, testified that he did not break the door of Chiepari's

0494

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house, and did not hit one of the girls on the ear, breaking her ear-ring. He, the complainant, did not state that he paid the rent, and did not lie down in a bed. He did not throw the defendant on the floor, nor did he strike the defendant on the head with a chair. He, the complainant, threw the defendant on the stove, after he, the complainant, had been wounded by the defendant. He, the complainant, was standing up when he received the first blow, on the chest. He saw blood coming from the wound, and he then threw the defendant on the stove. He, the complainant, knew the witness Figari. He had seen Figari in several places. He, the complainant, had played pool with Figari, and Figari had lost twice, but refused to pay for the drinks. He, the complainant, had some words with Figari, but did nothing to him. He, the complainant, had never been in a dance house in Sullivan street. He was a watchman in a factory in South Fifth avenue, and carried a billy. He, the complainant, was a little drunk one night, and the billy fell out of his pocket, unnoticed by him. He did not have any fight with Figari. He had never seen Figari in the

0495

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defendant's house. He, the complainant, did not have anything to drink the Chiepari's house on the night in question.

In cross-examination the complainant testified that he really didn't know anything about Figari's relations with the defendant. He, the complainant, did not hit the girl; he simply touched her on the shoulder. He did not see the broken ear-ring. He, the complainant, had first met the Chiepari girls in the house of a friend of his, about two or three months preceding the trial. He, the complainant, had been to Chiepari's house five or six times in two months. He, the complainant, on the night in question, did not call anybody a son of a bitch, but he did use that expression. He, the complainant, touched both the girls, but he did not give them severe blows. One of the girls said, "Throw him out of the window," and it was after he heard those words that he touched the girls. The brother of the girls only remained in the room a minute or two after he, the complainant, went in. There was a third man present when the defendant arrived, but he, the complainant,

0496

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did not know the name of the man. He, the complainant, sat down in a chair and put his head on the pillows of the bed, but he did not throw his body on the bed. He, the complainant, had been drinking, but he was not drunk.

0497

Department of Public Charities and Correction,
BELLEVUE HOSPITAL,
WARDEN'S OFFICE,

W. B. O'ROURKE,
Warden.

New York, Dec 27 1892

This is to certify that Francesco Cadriale
is under treatment in my wards for
stab wounds of back and front of chest
also of head. His condition at present
is good and unless complications should
set in he will be in condition to
leave Hospital in a few days.

Ralph Curtis

J. B. Caudwell
House Surgeon

0498

Police Court, District.

1901

City and County of New York, ss.

of No. 5th Street John S. Danneval Street, aged years, occupation Policeman being duly sworn, deposes and says that on the 25 day of December 1892 at the City of New York, in the County of New York, deponent arrested Ralph

Cuneo, now being charged with felonious assault on Francesco Cardeneli, that said Cardeneli identified deponent as Chamber this Hospital as the man who attacked him with a knife; that said Cardeneli is not able to come to Court in consequence of said assault and deponent asks that deponent be held to answer said charge.

Sworn to before me this 26 day of December 1892 J. White District Justice

0499

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

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

0500

Police Court--- ² 267 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John O. Sweeney
vs.
Joseph Cuneo

Marianne Cundick

Offense
Magistrate
Henry

2
3
4

Dated, *Dec 26* 189*2*

White Magistrate.

Samuel S. Clarke Officer.

8 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

§ to answer

to answer the
result of injuries

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0501

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

Ralph Currier

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *50* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, _____ 189 _____ Police Justice.

[Signature]

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0502

Police Court--- 267 District. 27

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Frances Cardenti
Ralph Curcio

Alfred
Wilson
Offense

2
3
4

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, *Jan 1* 189 *3*

White Magistrate.

Samuel S. Clarker Officer.

..... Precinct.

Witnesses *A. F. B. Enders*

No. *Pelleni Hospital* Street.

No. Street.

No. Street.

\$ *1000* to answer *15* *330*

Jan 15 1893

Alfred Wilson

0503

Sec. 198-200.

District Police Court.

City and County of New York, ss:

Ralph Curcio

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 a 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.

Ralph Curcio

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

Italy

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

Answer.

28 Clark St 6 months

Question. What is your business or profession?

Answer.

laborer

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

Answer.

I am not guilty

Buffalo Curcio

Taken before me this

day of

1931

at

Police Justice.

0504

Police Court— 2 District.

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

Francisco Cardenali

of No. 26 Clarkson Street, aged 23 years,

occupation Artist flower being duly sworn

deposes and says, that on the 24 day of December 1887 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Ralph Carter,
knowing who cut and stabbed
deponent on the head and body
with a large knife, inflicting
three wounds from which deponent
has been suffering, until he
appear in court

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

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

Sworn to before me, this 1 day
of January 1887.

Francisco Cardenali
make

A. J. White
Police Justice.

0505

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Ralph Curcio

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

Ralph Curcio

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

The said Ralph Curcio

late of the City of New York, in the County of New York aforesaid, on the twenty fourth day of December in the year of our Lord one thousand eight hundred and ninety-two, with force and arms, at the City and County aforesaid, in and upon the body of one Francisco Cardenali in the peace of the said People then and there being, feloniously did make an assault, and hit the said Francisco Cardenali with a certain knife

which the said Ralph Curcio 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 strike, beat, cut, stab and wound,

with intent hit the said Francisco Cardenali 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

Ralph Curcio

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

The said

Ralph Curcio

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 Francisco Cardenali in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and hit the said Francisco Cardenali with a certain knife

which the said Ralph Curcio in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, 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.

0506

THIRD COUNT—

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

Ralph Cumes

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

The said *Ralph Cumes*

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 said *Francisco Cardenali* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said

with a certain *knife* *Francisco Cardenali*

which *he* the said *Ralph Cumes*

in *his* right hand then and there had and held in and upon the *head and body* of *him* the said

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, ~~bruise~~ and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

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. *Francisco Cardenali*

DE LANCEY NICOLL,
District Attorney.

0507

BOX:

508

FOLDER:

4632

DESCRIPTION:

Curley, Frank

DATE:

01/19/93



4632

0508

Witnesses:

John Moran

Andrew J. Thomas

Carl Carpenter

Officer Robinson

Counsel,

Filed

1893

day of

Pleads,

THE PEOPLE

27 S. E. 28.
334 S. E. 28.
m. d. 11/11/93

Stark Curley

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

DE LANCEY NICOLL,

District Attorney.

July 30th - 1893

A TRUE BILL.

L. Cathin

Foreman.

John S. January 30th 1893

Pleaded through July 30th 1893

1 yr 10 mo & 10

pr.

0509

Police Court - 2 District.

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

of No. 339 East 23 Andrew J. Flynn Street, aged 41 years,

occupation Liquor Dealer being duly sworn
deposes and says, that the premises No 339 East 23 Street,
in the City and County aforesaid, the said being a

five story brick building
and which was occupied by deponent as a Liquor Store

and in which there was at the time a journeyman by name
Patrick Carpenter and John Moran
were BURGLARIOUSLY entered by means of forcibly

breaking a panel in a door leading
from the hall into said store.

on the 8th day of January 1883 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Good and lawful money of the United
States of the amount of fourteen dollars.
And a quantity of Cigars and Liquors
of the amount and value of one hundred
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 ^{attempted to be} property taken, stolen, and carried away by

Frank Curley (now here)

for the reasons following, to wit: that about the hour of one
o'clock A.M., deponent, securely locked and
fastened said premises, and at that time
said door was in a good and perfect condition,
and after locking and securing said store deponent
went away - and deponent is informed by Patrick
Carpenter that about the hour of 3.30 between A.M.
he in company with John Moran opened the door
and went into said store, for the purpose of

05 10

taking a sleep - and that about the hour of 3.45 o'clock A.M. while said Carpenter was lying down on a table in said store, he heard a crash, and immediately went to said door, and discovered the said panel of said door broken - and that defendant is further informed by said John Moran that he found the defendant standing in the Hall immediately after he and said Carpenter discovered said door broken - Applicant therefore asks that said defendant may be held to answer

Sworn to before me this } Andrew J. Flynn
14 day of January 1893 }

Wm. H. Burke
Police Justice

Police Court _____ District.

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

Dated _____ 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ _____ Bail.

Bailed by _____

No. _____ Street.

05 11

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

Patrick Carpenter
aged *26* years, occupation *Bar tender* of No. *341 East 23* Street, being duly sworn, deposes and

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

Sworn to before me, this *14* day } *Patrick Carpenter*
of *May* 189*5* }

John C. Burke Police Justice.

05 12

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

John Moran
aged *25* years, occupation *Printer* of No. *309 East 23* Street, being duly sworn, deposes and

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

Sworn to before me, this *15* day } *John Moran*
of *January* 189 }
John Moran

John Moran Police Justice.

05 13

Sec. 198-200.

District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer. *Frank Curley*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *234 East 25 Street - 2 Months*

Question. What is your business or profession?

Answer. *Machinist*

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

Answer.

I am not guilty

Frank Curley

Taken before me this

day of *February* 189*9*

John J. [Signature]

Police Justice.

05 14

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

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

Dated January 1st 1893 [Signature] Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

05 15

Police Court---

2 65 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Andrew J. Flynn
Frank Curney

Offense Burglary

2
3
4

BAILED,

No. 1, by.....

Residence Street.

No. 2, by.....

Residence Street.

No. 3, by.....

Residence Street.

No. 4, by.....

Residence Street.

Dated Jan 14 1893

James B. Burre Magistrate.
Robinson & Sullivan Officer.
C. O. Precinct.

Witnesses John Moran

No. 309 E 23. Street.

W. Carpenter

No. 341 E 23. Street.

No. _____ Street.

§ 1000 to answer

Wm. Burre

05 16

Frank Murray
arrived November 21/16
By the same train
Charles White Blount
of the same place
Sherman, N. C.
Sent me 3 copies of the
State Paper November 16/16
Judge J. H. ...

0517

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

THE PEOPLE OF THE STATE OF NEW YORK
against
Frank Curley

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

Frank Curley

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

The said *Frank Curley*

late of the *15th* Ward of the City of New York, in the County of New York aforesaid, on the
eight day of *January* in the year of our Lord one
thousand eight hundred and ninety-*three* in the *night* time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of
one

Andrew J. Flynn

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

Andrew J. Flynn 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.

William M. Kelly
District Attorney.

05 18

BOX:

508

FOLDER:

4632

DESCRIPTION:

Cushman, George D.

DATE:

01/19/93



4632

05 19

Witnesses:

John H. Van Hornen

Mrs Van Hornen

H. V. Davis

.....
.....

189
James H. G. 1890
1893
1894

Counsel,

Filed

189

Pleads,

THE PEOPLE

Assault in the Second Degree.
(Section 218, Penal Code.)

52 M 2
52 M 2
52 M 2

George W. Cook

De LANCEY NICOLL,

District Attorney.

March 1913

A TRUE BILL.

J. Catlin

Foreman.

Part 3 Marcus 93

J. Fred and Corvitus

Assault 3^d deg.
with strong reasons necessary

Pen 3 mus
Nov 1913 RBM

0520

LAW OFFICES
SAML. H. DREW,
234 BROADWAY,
NEW YORK.

To John T. Gardner Esq.
West 5th. St. N.Y.

Dear Sir,

I have known Mr.
Geo. D. Cushman for many
years, and think him to
be thoroughly reliable and
trustworthy and have every
confidence in him as a man
and also satisfied his apt.
herewith submitted to you
is true
Very truly
Saml. H. Drew

July 12th 1873

0521

City and County of New York, ss:

George D. ~~Cushman~~^{Cushman} being duly sworn says that John VanWormer and myself occupied flats on the same floor at No. 1762 Madison Avenue. He called upon me to collect a claim of \$15.00, money loaned by his mother to my wife. I acknowledged the debt and promised to pay just as soon as possible. He declined to accept any excuse and used very insulting language, and he and his mother took particular pains to insult my wife and self in the presence of others on every occasion. He approached me in the street and threatened to "do me up" if it took his heart's blood--using the most insulting words known in the English language. His mother informed me in my wife's hearing that her son "Johnnie" was a fighter and could "do me up any day." I told him that I never would pay the amount so long as he and his mother persisted in bulldozing and blackmailing me. On my return home in the evening of December 9th, 1892 my wife answered the bell to let me in. A dim light was burning in the front part of the hall. I passed through to the back of the hall to enter my dining room. My wife opened the door to receive me. The moment my door was opened VanWormer, who was standing in the hall with his door closed said "I want to see you". I said "Well, what is it"? He said "When are you going to pay me that money." I replied "I cannot pay it now,

0522

for I have not got it." He said "I will give you until to-morrow to pay it, or I will take it out of your hide". I said "I cant pay you to-morrow, for I have promised to pay my rent to-morrow. He then said in a very loud voice, "You are a God damn skin and I don't believe you intend to pay me. I will smash your nose all over your face" and without a moment's warning he struck me several times, breaking by eye glass, cutting my nose and blacking ^{my eye} and almost knocking me down in my own dining room. As soon as I showed fight he opened his door, ran in and came out with an iron frying-pan and commenced beating me with it, fighting me in my own room. He struck me several times, and then threw it, striking me on the head. It rebounded and struck my wife and fell on the floor in my room. I have the frying pan in my possession now. When he came at me with the pan I looked for something to defend myself with. I picked up a pen knife which was lying on the side board open. I did not make any thrust to cut him--he cut himself by striking at me. After throwing the frying pan he ran back into his house. I was trying to close my door when he appeared with an uplifted chair. At that time I heard his mother say "look out Johnnie, he has got a knife. He replied "get out of the way I will kill the God damn bastard." I then closed and locked the door,

0523

and up to that time did not know that he was cut. About ten or fifteen minutes afterwards I went to the front window to see the janitor in regard to the coal gas which came from the furnace. The janitor was just coming up out of the front basement. I tapped on the window and beckened him to come in. He did so and I opened my front door to receive him. Just then Van-Wormer appeared upon the scene and approached me in a threatening manner. I told him to keep away, that I was talking to the janitor on another business. He followed me up to my door, calling me insulting names and shaking his fist in a threatening manner. I was standing inside of my door. On the lounge was lying a banana stick which my wife had used to push up the window, which was occasionally lowered to let the coal-gas escape. When I approached him with the stick he called for help which brought other tenants out in the hall. As he ran through the door ~~he~~ closed the same suddenly. I struck the door instead of him, marking the paint.

I am 53 years of age and have been in active business all my ~~life~~, and am now with Smow, Church & Co., and have never before this time been arrested. While I ~~regret~~ regret this very much I feel that I only did what was absolutely necessary to defend myself, and hardly that,

0524

for VanWormer had repeatedly threatened to kill me.

Sworn to before me this
11th day of January, 1893.

:
:
:
: *Geo. S. Cushman*

James Ridgway
notary Public
King's Co
certif filed in NY Co

0525

The Paper

is

George A. Cochran

0526

Witness
Book

Court of Special Sessions

The People on the complaint
of John H. Van Wormer }
vs
Bushman }

Witnesses for the prosecution

John H. Van Wormer.
Complainant. 1762 Madison Ave.

Mrs Van Wormer
1762 Madison Avenue.

Herbert J. Travis
1762 Madison Avenue.

William Guter
1760 Madison Avenue

Anthony Steuser ✓
210 West 67th St.

Emanuel Steuser ✓
210 West 67th St.

0527

NEW YORK SPECIAL SESSIONS.

-----	+	Before
T H E P E O P L E	:	Justices SMITH, McMAHON
vs	:	and DIVVER.
GEORGE CUSHMAN.	:	
-----	+	January 5, 1893.

JOHN W. VAN WORMER, being duly sworn, testified as follows:

BY THE COURT:

Q You live 1762 Madison Avenue ? A Yes sir.

Q On the 9th December last did you have any trouble with this defendant ? A Yes sir.

Q Tell us about it ?

A Well, this gentleman's wife had borrowed fifteen dollars or over from my mother. She requested me to ask him for it. He offered to pay me in different payments. On the evening in question I asked him again for the money in the hallway. Then he assaulted me, and cut me with a knife. I asked him for money the third time. He said that he did not have any money and was not able to pay his rent. I asked him what kind of a man he was. I told him he was able to get his beer. Then he said, "Now, you will not get a g-d-d-d cent." I threw up my hands

0528

2

and he drew a knife and cut me across the thumb.

CROSS-EXAMINED by Mr. John C. Munzinger.

Q How did you know when he came in ?

A I came from the grocery store.

Q Were not you in the hallway waiting for him ? A No sir.

Q Had not you spoken to him about this money before ?

A Twice before.

Q You are sure that you were not in the hallway waiting for him ? A No sir.

Q Did not you swear in the Police Court that you were waiting for him to come home to speak to him about this money ? A No sir.

Q Did not you assault him first ? A No sir.

Q Did not you use bad language to him and call him "Son of a b---" ? A No sir.

Q Did not you hit him over the head with an iron skillet ? A Afterwards, probably, I did.

Q Did not you have an iron skillet in your hand ?

A He started to break in my door; the door was getting weak. I ran into the kitchen for the skillet. I went into my parlor door, and into the hallway. I pushed him away. He came after me with a club. It was only after I was cut, and after one of my doors had been broken in I

0529

3

was following him with the can.

Q Who was in the hall besides you and Cushman ?

A My mother.

Q She was in the hallway ? A Yes sir.

Q You did not do anything to him ? A I pushed him into the
stove.

The Court, now, transferred the case to the
Court of General Sessions, as the testimony
discloses a felony.

D. S. Veitch,

Stenographer.

I

0530

COURT OF GENERAL SESSIONS.

The People &c., on the complaint
of John H. Van Wormer,

-against-

George Cushman.

Van Wormer and Cushman occupied adjoining flats on the ground floor of 1762 Madison Ave. The doors of the dining rooms of each flat adjoin, and are at the end of the hall.

Van Wormer lives on the flat on north side of the house with his mother. Cushman lived on the south side with his wife and family.

Mrs. Cushman had borrowed of Mrs. Van Wormer \$17. Mrs. Van Wormer dunned Cushman and his wife for the money, but received nothing but taunts and abuse in reply. She complained to her son, the complainant, and asked him to collect the money from Cushman.

On the evening of Dec. 9, 1892, Van Wormer, as he was entering the house, saw Cushman on the street. He entered his dining room and told his mother Cushman was coming in and that he would ask him for the money. As soon as he heard Cushman entering his dining room, Van Wormer stepped into the hall and asked Cushman for the money. Cushman was in the act of entering his room. He turned and replied that he was unable to pay it. After some conversation, Van Wormer remarked that it was strange that he (Cushman) could buy beer, and not pay

0531

2

his debts, whereupon Cushman raised his hand over his head, saying, "Now, damn you, I will never pay it", and with that drew a knife and cut Van Wormer badly on the thumb. Mrs. Van Wormer who was standing at the open door of her room during the conversation, pulled her son into the room and locked and bolted the door. Cushman then commenced to kick or beat on the door and stove in the lower panel, whereupon Mrs. Van Wormer cried, "The door is breaking in and he will kill us!" Van Wormer then ran into his kitchen and seized a frying pan and ran through his flat and out of the parlor door and ordered Cushman away. Cushman took the pan away from Van Wormer, Van Wormer having but the use of his left hand, his thumb being hanging on the right hand, and he retreated into his parlor, whereupon Cushman hammered on the parlor door and broke one of the upper panels.

Shortly after this, Van Wormer went out to have his thumb dressed by his doctor. The doctor was out, and Van Wormer returned. As he entered the hall, Cushman darted out of his flat, saying, "Now I will fix the son-of-a-bitch", and struck Van Wormer repeatedly over the head with a large club.

Van Wormer yelled for help and Mr. H.J. Travis, a tenant in the house, and the two janitors of the flat, who saw the last assault, interfered and pulled Cushman away. The assault was also witnessed by Mr. ^{Sauter} ~~Satter~~, the agent of the flat, who was in the vestibule.

Cushman was arrested on Dec. 11 and brought before a Justice at the Harlem Police Court. He was held in \$300 bail and case sent to Special Sessions on charge of cutting

0532

Van Wormer on the thumb. No charge was made against him for the assault with the club, notwithstanding Van Wormer told the whole story.

On January 5, 1893, the case came on at Special Sessions and Judge Smith presiding, ordered the case to be sent to General Sessions.

Cushman is a lawyer employed by Snow Church & Co., as collection agency.

The witnesses for the People are --

For the first assault

John H. Van Wormer)
Mrs. Van Wormer) : 1762 Madison Ave.

For the second assault:

John H. Van Wormer)
Mrs. Van Wormer) : 1762 Madison Ave.
Herbert J. Travis)

William Santer, 1760 Madison Ave.

Anthony ^{Hawser} ~~Hawson~~, Janitor)

Emanuel ^{Hawser} ~~Janeser~~, " ; 210 West 67th St

Van Wormer is still under treatment for the cut on the thumb. His doctor is Dr Roberts 77 East 116th St
JAMES M. TULLY,

Atty. for Complainant, Van Wormer
247 Broadway,
New York City.

0533

William ...
Lawyer ...

...

COURT OF GENERAL SESSIONS.

.....

THE PEOPLE &c.

agst.

GEORGE CUSHMAN.

.....

BRIEF OF EVIDENCE ON PART
OF COMPLAINANT.

.....

0534

(1855)

Police Court— 5 District.

CITY AND COUNTY OF NEW YORK, ss.

John H. Van Hornes
of No. 1762 Madison Avenue Street, aged 30 years,
occupation Collector being duly sworn, deposes and says, that
on the 9th day of December 1897 at the City of New York,
in the County of New York.

he was violently ASSAULTED and BEATEN by George Cushman
who cut deponent over the hand, with a
knife, thru and thru held in his hand.

without any justification on the part of the said assailant.

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

Sworn to before me, this 12th
day of December 1897

John P. Woodie

Police Justice.

John H. Van Hornes
made

0535

1902

POLICE COURT 5 DISTRICT.

City and County of New York, ss.

THE PEOPLE

vs.

On Complaint of John Law Wynn
For Assault

George Cushman

After being informed of my rights under the law, I hereby waive a trial by Jury on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated DEC 18 1892

Geo W Cushman

John W. ... Police Justice.

0536

Sec. 568.

5

District Police Court.

Undertaking to Answer.

CITY AND COUNTY OF NEW YORK,

An order having been made on the 13th day of December 189 by John W. Yorkes, Esq. Police Justice of the City of New York, that George Cushman be held to answer upon a charge of Assault -

upon which George Cushman has been duly admitted to bail in the sum of Three Hundred Dollars. WE, Madeline Curran, Occupation Lawyer; and Samuel H. Dreyfus, of No. 218 West 133rd Street, Occupation Real Estate, Surety, hereby undertake jointly and severally that the above-named George Cushman shall appear and answer the charge above-mentioned, in whatever Court it may be prosecuted; and shall at all times render himself amenable to the orders and process of the Court; and if convicted, shall appear for judgment, and render himself in execution thereof; or if he fail to perform either of these conditions, that we will pay to the People of the State of New York the sum of Three Hundred Dollars.

Taken and acknowledged before me this 13th day of December 1899. John W. Yorkes, Police Justice.

0538

Sec. 151.

Police Court 5 District.

CITY AND COUNTY }
OF NEW YORK, } ss.

In the name of the People of the State of New York; To the Sheriff of the County of New York, or any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by John H Van Horn of No. 1762 M Larkin Avenue Street, on the 9 day of December 1892 at the City of New York, in the County of New York

he was violently Assaulted and Beaten by George Bushman

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 5 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 12 day of DEC 1892

John H. Woods POLICE JUSTICE.

0539

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant—A. & B.

Dated 188

Magistrate

[Signature] Officer.

The Defendant

taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Officer.

Dated 188

This Warrant may be executed on Sunday or at night.

Police Justice.

having been brought before me under this Warrant, is committed for examination to the WARDEN and KEEPER of the City Prison of the City of New York.

Dated 188

Police Justice.

5-2
1762
The within named
[Signature]

0540

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

George Cushman

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

Question. What is your name?

Answer. *George Cushman*

Question. How old are you?

Answer. *32 years*

Question. Where were you born?

Answer. *Ohio*

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

Answer. *1762 Madison Ave, Six months*

Question. What is your business or profession?

Answer. *Lawyer*

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*

Geo. Cushman

Taken before me this

day of

Dec

13

189

at

John R. ...

Police Justice

0541

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

Hefernd and

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

Dated, *Dec 13* 189*2*

John R. ... Police Justice.

I have admitted the above-named *Hefernd and*

to bail to answer by the undertaking hereto annexed.

Dated, *Dec 13* 189*2*

John R. ... Police Justice.

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

Dated, 189

Police Justice.

0542

Sec 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

George Cushman

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

Question. What is your name?

Answer.

George Cushman

Question. How old are you?

Answer.

52 years

Question. Where were you born?

Answer

Ohio

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

Answer.

1762 Madison Ave, Six months.

Question. What is your business or profession?

Answer.

Lawyer

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.
Geo. Cushman*

Taken before me this

day of *Dec* 189 *7*

John R. Williams

Police Justice.

0543

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

Hefford and

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

Dated, *Dec 12* 189

John R. ... Police Justice.

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

Dated, *Dec 13* 189

John R. ... Police Justice.

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

Dated, 189

Police Justice.

0544

W 110 26 50
Police Court--- District.

IN THE PEOPLE, &c.,
ON THE COMPLAINT OF
John H. Van Wormer
1762 Madison Ave
George Cushman
1
2
3
4
Offense: Assault

BAILED.
No. 1, by Samuel H. Hlevu
Residence 218 W 133 Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated, December 13 1892
Vorhis Magistrate.
Kerckay. Officer.

Witnesses: Court, Precinct.
Mrs. Van Wormer, 1762 Madison Ave.
Herbert J. Travis, 1762 Madison Ave
Wm. Santa, 1760 Madison Ave
No. Anthony Hausa, 210 W. 67 St
Emanuel Hausa, 210 W. 67 St

Transferred to Gen. Sess.
Felony being charged
No. 300 Street.
\$ to answer

Bailed

P. 2 P.M. December 13th 1892

0545

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

George D. Rudaman

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

George D. Rudaman

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

The said George D. Rudaman,

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

John St. Van Warner,

in the peace of the said People then and there being, feloniously did wilfully and wrongfully did make an assault; and the said George D. Rudaman,

with a certain ... which ... the said

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

...
... attorney.