

0231

**BOX:**

416

**FOLDER:**

3844

**DESCRIPTION:**

Balzano, Luca

**DATE:**

11/12/90



3844

POOR QUALITY ORIGINAL

0232

77 Paey

Counsel,

Filed

day of

1890

Pleaded

THE PEOPLE

vs.

Lucea Balzano

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*[Signature]*

Feb 2 - AM. 1890 Foreman.

The Attorney of District Attorney defendant discharged on his own recognizance.

I have made an examination of this case, find that the complainant was so much under the influence of liquor that his testimony is not reliable. Witnesses for the defense show very clearly that at the time the complainant says he was cut by the defendant he was ill in bed at home. There is no testimony that the people can obtain from the complainant. I therefore recommend that the defendant be discharged upon his own recognizance. Feb 2, 1890

W. J. Lawrence

Dep. - Asst

Witnesses:

POOR QUALITY  
ORIGINAL

0233

POLICE COURT,  
SECOND DISTRICT,  
W. L. ORMSBY, JR.  
STENOGRAPHER.

The People vs  
Richard Mc Donaldson

vs  
Lucia Balgans

Examination Before Justice O'Reilly  
Oct 30

For the Defendant Mr Racey

Richard Mc Donaldson being duly  
sworn and cross-examined on his  
affidavit deposes and says:-

Q What time of day was this?

A In the night time - half past  
seven.

Q How was you hurt?

A He stabbed me.

Q Where was this?

A Bleeker street between  
Thompson & Sullivan

Q What were you doing there?

A I was going home.

Q Where had you been?

A Just coming from my work

Q Had you been drunk in the afternoon?

A No sir.

Q You were sober?

A Yes

Q Had you seen this man before that day?

A No sir

Q What day was this

A Saturday night.

By the court

Q You are positive that this is the man you charge with stabbing you?

A Yes sir.

Sworn to before me this 30 day of October 1890

J. P. C. [Signature] Police Justice

Officer J. Stephenson, 15th Precinct being duly sworn and examined as a witness for the people deposes and says:-

Q You made the arrest in

this case.

A Yes sir

Q State how you came to make it; and all you know about this case.

A I was standing at the corner of Thompson and Bleeker st. I heard this man, I went over and picked him up. He fell, and I saw he was bleeding and I rang for an ambulance and he was taken to the hospital. He then said it happened in Bleeker st in a shoemaker's shop, between Sullivan and Thompson so I went and looked up this man the defendant, and I brought him to the station house, and took him to the hospital and the complainant said that the defendant was the man who stabbed him.

Q And the complainant identified him.

A Yes.

Q The defendant was taken before the complainant?

A Yes sir in the hospital.

Q He identified the defendant?

A Yes.

Cross Examined

Q What was the condition of the complainant in regard to sobriety? Was he sober or was he drunk?

A I guess he had been drunk.

Q And is it not a fact that this defendant was in bed.

A He was in bed with a woman.

Q Was he complaining to you that he was sick with fever?

A He said he was sick.

Q You told him he was charged with assault?

4

POOR QUALITY ORIGINAL

0237

A - Yes

Q And did he say he had been in bed since 8 O'clock?

A Yes

Q And at the time he was arrested he was in bed?

A Yes

Q What was the appearance of the defendant - his physical appearance?

A He was kind of pallid.

Q You do not know whether he was sick

A No.

The People Rest.

Sworn to before me this 1st day of November 1890

*[Signature]*  
Police Justice

Luigi Maggio being duly sworn

and examined as a witness

for the defendant deposes

and says: - I live in

Bluebe St. in the same house

with defendant. I am a

5

labourer.

Q Were you in the house on the afternoon and night that he was arrested?

A Yes Sir.

Q About what time did you get there?

A I was there in the morning until night.

Q Did dependant go to bed?

A Yes Sir.

Q What time did he go to bed?

A Five o'clock.

Q Were you there when he was arrested?

A Yes Sir.

Q Was there any trouble took place in that house at 5 o'clock?

A No Sir.

Q Could there have been any trouble without your knowing it?

A No Sir.

Q And there was no trouble there

at all?

A Mr. Sir

By the Court

Q Do you live in the same room with defendant?

A Yes sir - all one room

Q How many occupy it?

A Defendant and me and an American and this American woman,

Q How in one room?

A Yes sir

By the Recess

Q How many rooms are there?

A Two.

By the Court

Q What of these rooms do you occupy?

A He was sleeping in the front

Q Who was in with him?

A The American woman

Q In the same room you occupy?

POOR QUALITY ORIGINAL

0240

A Yes Sir

By Mr. Rancey

Q Could you go in and out both rooms?

A I saw two rooms - yes

By Mr. Court

Q Which room did defendant occupy?

A The front.

By Mr. Rancey

Q Did anybody come into this room from 5:00 clock except the officer?

A No Sir

Q You were arrested too?

A Yes Sir

Sworn to before me this ... day of ... 1990

J. C. ... Police Justice

Inca Balgum the defendant being duly sworn and examined as a witness for the defendant, in his own behalf deposes and says:-

I am 29 years old.

Q Do you know the complainant?  
Did you ever see him before  
in your life?

A No Sir

Q Where were you when you  
were arrested?

A I was in bed.

Q What time were you in bed?

A At 5 o'clock I was in  
bed. Nite.

Q Do you know of any  
trouble in the house that  
day?

A No; no sir; no trouble  
at all.

By McCourt

Q Who were the woman?

A A woman who comes and  
lives there.

Q Was she your wife?

A No.

Sworn to before me this ... day  
of ... 1890

*[Signature]*  
Police Justice.

Settled 1000 bail

POOR QUALITY ORIGINAL

0242

Police Court— 2d District.

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

of No. 545 Broome Street, aged 30 years,  
occupation Labourer being duly sworn

deposes and says, that on 11 day of October 1890 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Luca Bahano

(man here) who wilfully and maliciously cut and stabbed deponent in the side with a knife then and there held in his hand injuring him severely

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 27 day of Oct 1890 } Richard M. Donaldson

D. J. C. [Signature] Police Justice.

POOR QUALITY ORIGINAL

0243

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Luca Bahans 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.

Luca Bahans

Question. How old are you?

Answer.

29 years

Question. Where were you born?

Answer.

Italy

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

Answer.

160 Bleeker St 18 mos

Question. What is your business or profession?

Answer.

Shoemaker

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  
Luca Bahans

Taken before me this

day of

Oct 27 1893

J. C. [Signature]

Police Justice

POOR QUALITY  
ORIGINAL

0244

St Vincent's Hosp.  
Oct 22/90.  
Richard McDonald  
is suffering from the  
effects of a stab  
wound of Lung.  
I have absolutely  
certified as to the  
prognosis.  
H. H. Stambold (M.D.)  
Anne Ferguson

St Vincent's Hosp  
Oct 20/90.  
Richard McDonald  
is now out of danger  
He will be able to  
appear in court in  
about one week.  
H. H. Stambold (M.D.)  
Anne Ferguson

POOR QUALITY  
ORIGINAL

0245

St Vincent's Hosp  
Oct 14/90

Richard McDonald  
is improving but is  
not out of danger

W. A. S. Ambold M.D.  
House Surgeon

Oct 12/90

St Vincent's Hosp.

Richard Mac Donald  
is suffering from  
a penetrating stab  
wound of lung.  
His condition is  
dangerous.

W. A. S. Ambold M.D.  
House Surgeon

POOR QUALITY ORIGINAL

0246

Sworn to before me, this

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

John Stevenson of the 15th Precinct Police Street, aged 29 years, occupation Police officer being duly sworn deposes and says that on the 11 day of October 1880

at the City of New York, in the County of New York, Richard McDonald was violently and feloniously assaulted and beaten by Luca Balzana (workman) Deponent is informed by said McDonald in the presence of said Balzana, that he Balzana cut him McDonald in the back with a knife he held in his hand, that said McDonald is now confined at the St Vincent Hospital from the effect of the injuries inflicted and in a dangerous condition as certified to by the House Surgeon of said Hospital, Deponent prays

1880

1880

POOR QUALITY ORIGINAL

0247

that said defendant be committed  
 for further examination and for the  
 purpose to await the result of  
 said injuries  
 shown to before me this } John T. Stevenson  
 12 day of October 1890 }  
 J. M. [Signature]  
 Police Justice

Police Court, District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

ARRIDAVIT.

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

Magistrate.

Officer.

Witness,

Disposition,

POOR QUALITY ORIGINAL

0240

Held without bail to answer Complaint

2. P.M.  
By Det. J.P. Walsh  
\$1000 bail  
R.W. Rorer  
Supt. City

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

The presiding magistrate is authorized to hear and determine this case in my absence and to accept bail  
Police Justice

Police Court

THE PEOPLE, etc.,  
ON THE COMPLAINT OF

John J. Steinhilber  
vs.  
Lucia Bergano

Offence: Fel assault  
Richard McDonald

Dated

Dec 12 18

Residence

Residence

Residence

Witnesses

No.

No.

No.

No.

No.

\$

to answer

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \_\_\_\_\_ 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 \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

POOR QUALITY ORIGINAL

0249

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

Police Court... 2 District.

1644

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Richard W. Donnelly  
545 St. Albans  
Dwight Babagan

Offence Assault  
Fighting

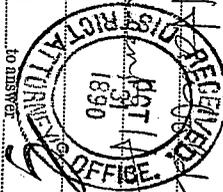
Dated Oct 27 1880

Magistrate  
Stephman 15  
Officer \_\_\_\_\_ Precinct \_\_\_\_\_

Witnesses

\$1000 & Oct 30  
2 1/2 PM

No. 1000  
 Street \_\_\_\_\_  
 No. \_\_\_\_\_ Street \_\_\_\_\_  
 \$1000 to answer



Comm. H. S. H. H.

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

Dated Oct 29 1880 D. J. Kelly Police Justice.

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

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

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

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

POOR QUALITY ORIGINAL

0250

2 DISTRICT POLICE COURT.

THE PEOPLE,  
ON COMPLAINT OF  
Richard Mc Donald  
Lucia Balzano

Examination had Nov 1 1880  
Before Daniel O'Reilly Police Justice.

I, W. L. Ormsby, Stenographer of the 2 District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of Richard Mc Donald Lucia Balzano John Stevenson Luigi Maggio as taken by me on the above examination before said Justice.

Dated Nov 1 1880

W. L. Ormsby  
Stenographer.

Daniel O'Reilly  
Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Luca Balzano

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

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

The said

Luca Balzano, late of the City of New York, in the County of New York aforesaid, on the eleventh day of October in the year of our Lord one thousand eight hundred and ninety, with force and arms, at the City and County aforesaid, in and upon the body of one Richard McDonaldson in the Peace of the said People then and there being, feloniously did make an assault and him the said Richard McDonaldson with a certain knife

which the said Luca Balzano 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 him, the said Richard McDonaldson 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 Luca Balzano of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Luca Balzano 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 Richard McDonaldson in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and him the said Richard McDonaldson with a certain knife

which the said Luca Balzano 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.

John R. Fellows District Attorney

0252

**BOX:**

416

**FOLDER:**

3844

**DESCRIPTION:**

Barnett, John J.

**DATE:**

11/19/90



3844

0253

**BOX:**

416

**FOLDER:**

3844

**DESCRIPTION:**

Walsh, Peter

**DATE:**

11/19/90



3844

0254

POOR QUALITY ORIGINAL

Counsel,  
Filed *1890*  
Pleads *1890*

THE PEOPLE  
vs.  
John J. Barnett  
Peter Walsh

JOHN R. FELLOWS,  
District Attorney.

apl. 1910

A True Bill set for trial

*Wm. J. Maguire*  
*Dec 1st 1890*  
*John R. Fellows*  
*Wm. J. Maguire*  
*1890*

Witnesses:

*Banker*  
*D. S. Sigs*  
*on another case*

8

POOR QUALITY ORIGINAL

0255

Police Court— 3<sup>rd</sup> District.

City and County } ss.:  
of New York,

of No. 95 Market Street, aged 29 years,  
occupation Bartender being duly sworn

deposes and says, that the premises No. 95 Market Street, 7<sup>th</sup> Ward  
in the City and County aforesaid the said being a three story brick  
building the first floor of  
which was occupied by deponent as a Liquor Store  
and in which there was at the time ~~a~~ no human being, by name

were BURGLARIOUSLY entered by means of forcibly entering  
a window on the second  
floor of said premises and  
so getting into the store 95  
Market St  
on the 8<sup>th</sup> day of November 1887 in the night, and the  
following property feloniously taken, stolen, and carried away, viz:

Two hundred Cigars,  
and Six Dollars and  
fifty cents in current  
money of the United States  
of the total value of \$16.<sup>50</sup>/<sub>100</sub>

the property of James H. Roche in care of deponent  
and deponent further says that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen and carried away by

John Barnett and Peter  
Walsh (both now here)

for the reasons following, to wit:

Deponent's brother  
locked, bolted and effectually  
closed said premises at  
12 o'clock on said night,  
and four o'clock a.m., on  
said night Officer Patrick  
Burke saw said Barnett  
coming out the hall door  
of said premises, and

POOR QUALITY ORIGINAL

0256

Walsh was found in  
said premises on the third  
floor, and said Officer  
Bulke saw said Barnett  
from said cigar on the  
side walk.

Wherefore now  
Department charges said  
Defendants with Burglary,  
entering said premises  
and taking, stealing and  
carrying away said property  
and prays that they be  
dealt with as the Law  
directs.

Sworn to before me  
this 9<sup>th</sup> day of Nov 1890  
John J. Becke  
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  
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.  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1888  
Police Justice  
There being no sufficient cause to believe the within named  
guilty of the offense within mentioned, I order he to be discharged.  
Dated 1888  
Police Justice

Police Court, District, Offence—BURGLARY  
THE PEOPLE, &c.,  
on the complaint of  
vs.  
1  
2  
3  
4  
Date, 1888  
Magistrate  
Officer  
Clerk  
Witness,  
No. Street,  
No. Street,  
No. Street,  
to answer General Sessions.

POOR QUALITY ORIGINAL

0257

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Patrick Burke*  
aged *30* years, occupation *Policeman* of No. *the*  
*Seventh Avenue* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *John J. Roche*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this *9th*  
day of *Nov* 188*7* at *Patrick's Bar*  
*P. Hogan*  
Police Justice.

POOR QUALITY ORIGINAL

0258

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*John J. Barnett* 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 J. Barnett*

Question. How old are you?

Answer. *22 Years of age*

Question. Where were you born?

Answer. *New York City*

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

Answer. *144 Cherry St (4 Years)*

Question. What is your business or profession?

Answer. *Book Keeper*

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

Answer. *I am not guilty*

*John J. Barnett*

Taken before me this  
day of *Apr* 188*7*  
*John J. Barnett*  
Police Officer

POOR QUALITY ORIGINAL

0259

Sec. 198-200

3

District Police Court

CITY AND COUNTY OF NEW YORK, ss.

*Peter Walsh* 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 in the trial.

Question. What is your name?

Answer.

*Peter Walsh*

Question. How old are you?

Answer.

*20 Years of age*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*34 Boverly St. 11 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*

*Peter Walsh*

Taken before me this day of

*9th*

188

Police Justice

*[Signature]*



POOR QUALITY  
ORIGINAL

0261

~~Verplancks, N. Y., Feb 1<sup>st</sup> 1891~~

This is to certify that I know  
Peter Welch since his infancy  
and know him to be honest  
and of a kind disposition  
during his six months stay  
me William McMill

POOR QUALITY  
ORIGINAL

0262

Verplancks Feb 24<sup>th</sup> 91  
This is to certify that  
I know Peter Welch and  
can certify as to his  
Honesty and good behavior  
during my acquaintance with  
him also to his politeness  
and good manners to all

Hugh Mc Partlan  
Verplancks. N.Y.

POOR QUALITY  
ORIGINAL

0263

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 J. Barnett*  
and *Peter Walsh*

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

*John J. Barnett and Peter Walsh*

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

The said *John J. Barnett and Peter Walsh*

late of the *Seventh* Ward of the City of New York, in the County of New York  
aforesaid, on the *eighth* day of *November* in the year of our Lord one  
thousand eight hundred and ~~eighty~~ *ninety*, with force and arms, in the  
*night* time of the same day, at the Ward, City and County aforesaid, the  
dwelling house of one *store of one Patrick H. Roche*

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 *Patrick H. Roche* in the  
*said store* in the said dwelling house then and there being, then and  
there feloniously and burglariously to steal, take and carry away, against the form of  
the Statute in such case made and provided, and against the peace of the People of the  
State of New York, and their dignity.

POOR QUALITY  
ORIGINAL

0264

SECOND COUNT—

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

*John J. Barnett and Peter Walsh*  
of the CRIME OF *Petit* LARCENY \_\_\_\_\_, committed as follows:

The said *John J. Barnett and Peter Walsh, both*

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

*two hundred cigars of the value of five cents each and the sum of six dollars and fifty cents in money, lawful money of the United States of America and of the value of six dollars and fifty cents*

of the goods, chattels, and personal property of one

in the dwelling house of the said

*Patrick W. Roche*  
*Patrick W. Roche* —

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.

**POOR QUALITY  
ORIGINAL**

0265

THIRD COUNT.

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

*John J. Barnett and Peter Walsh*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows :

The said *John J. Barnett and Peter Walsh, both*

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

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

~~of the goods, chattels and personal property of~~

*Patrick N. Roche*

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

*Patrick N. Roche*

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

*John J.  
Barnett and Peter Walsh*

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

JOHN R. FELLOWS,

District Attorney.

0266

**BOX:**

416

**FOLDER:**

3844

**DESCRIPTION:**

Behrenfuhs, Robert

**DATE:**

11/11/90



3844

0267

**BOX:**

416

**FOLDER:**

3844

**DESCRIPTION:**

Behrenfuhs, Robert

**DATE:**

11/11/90



3844

POOR QUALITY ORIGINAL

0268

62 Supp. 11/11/80  
Counsel,  
W. H. H. H. H.

Filed 11 day of Nov 1890  
Pleas, Voluntary B.

THE PEOPLE vs. Robert Schrenfeller  
Grand Larceny, 4th degree  
(MISAPPROPRIATION)  
(Sections 528 and 580 of the Penal Code)

JOHN R. FELLOWS,  
District Attorney.

Nov 25 1890  
Part 2 - Dec. 2, 1890  
A True Bill  
On motion of the District Attorney, indictment returned.

To be tried at Part 2  
Dec 2 1890

Upon the reason  
wherein the reason  
Witnesses: id est. Dist. Atty.  
off, I am willing that  
the indictment be  
damaged.  
Dec 2, 1890 G. L. B.  
K. D. A.

Dec. 2<sup>nd</sup>, 1890  
vs People  
Robert Schrenfeller

I have carefully  
read the testimony in this case.  
As to the Commercial honesty of  
the transaction, I do not express  
opinion, but on the question of whether a  
crime, under the law, was committed,  
I entertain no doubt that  
on the evidence, I believe would have  
to be read in favor of the defen-  
dant.

In my opinion the indictment  
was returned that there was  
a contract relation between  
man and the defendant and  
that, on a trial, the indictment  
will not be sustained.  
Dec 2, 1890  
John R. Fellows  
Dist. Atty

Court of General Sessions.

----- X  
 :  
 The People :  
 :  
 against :  
 :  
 Robert Behrenfuch :  
 :  
 ----- X

Statement of the case.

It appears that the complainant Mr. Solomon J. Sachs, delivered to the defendant, five hundred and thirty-two (532) skins and furs which he was to make up into one hundred and thirty-two (132) capes of the value of about \$691.00, and it will appear from the evidence, (see stenographer's minutes,) that the defendant was to receive \$239.20 for his labor.

The defendant took the skins and instead of making them up and returning them to his employers, converted them to his own use and sold several of them. The defendant before this was a bankrupt and performed substantially the same act, getting property in his hands and failing in business.

Having found as it will appear in the evidence that he was selling this property, a demand was made upon him for its return. He failed to answer, whereupon a detective was employed from head-quarters, Mr. Heidelberg, who seized what property there was left and had the defendant arrested and brought before the Court, where he was, after a very laborious and exhaustive examination, held to await the action of the Grand Jury. The Grand Jury indicted him for grand larceny in the first degree.

An examination of the stenographer's minutes will show, in my judgment, that this thief ought to be sent to

(2)

State Prison. He has been for a long time carrying on the business of keeping property not belonging to him, selling it, and then failing in business.

I trust that the District Attorney who has charge of this case will see to it, that this thief does not escape.

I was retained to prosecute him before the committing magistrate. I did so, and he was fully committed to await the action of the Grand Jury. No civil suit has been entered against him and none will be; for the very excellent reason that "to sue a beggar is to catch a louse."

He is a thief and has been so known among the Jewish people who deal in these furs for many years. He has failed repeatedly in business and is a scoundrel of the first class. I trust that the Ass't District Attorney who has charge of this case will see to it that ex-Judge Gildersleve or his partner Mr. Palmer, does not in any way, place this case in any but its proper attitude.

I recognize the fact that the District Attorney does not need any associate counsel, and I simply submit this as a brief in order to call the attention of the District Attorney who prosecutes this case as to its importance.

*A. H. Bundy*

**POOR QUALITY ORIGINAL**

0271

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.....

*E. J. Court of Honor*  
*The People*

Plaintiff

against

*Robert Behreng*

Defendant

*Prof*

~~PERO M. LAUGHIN,~~

~~1000 BROADWAY,~~ City

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

Attorney

To .....

District Attorneys Office,  
City & County of  
New York.

Dec 2<sup>nd</sup> 1890

The People

vs

Robert Behrens

I have carefully read the testimony in this case. As to the commercial honesty of the transaction I do not express opinion, but on the question of whether a crime under the law was committed I entertain such grave doubts that on the evidence I believe would have to be resolved in favor of the defendant. In my opinion there is a preponderance of evidence that there was a contract relation between Freeman and the defendant and that on a trial the indictment will not be sustained.

John W. Hoff  
Asst Dist. Atty

POOR QUALITY ORIGINAL

0273

POLICE COURT,  
SECOND DISTRICT,  
W. L. OREMBY, JR.  
STENOGRAPHER.

The People vs  
Solomon J Sacks

Robert Behrenfuchs

Examination Before Justice Hoffman  
Oct 29 1890

For People by Mr. Loughlin — " — For Off David Hirschfeld

Solomon J Sacks, the complaining witness being duly sworn and examined as a witness for the People deposes and says:-

Q Where do you reside?

A At 212 East Broadway

Q What is your business?

A Book Keeper

Q Are you in the employ of the defendant?

A Benjamin Freedman at 76 Wooster St.

Q Do you know anything about the transaction between the Mr Freedman and defendant?

A Yes Sir

Q State exactly what occurred?

A There was 572 skins which we delivered to him to make up into 190 bapes.

Q What is the value of the skins?

A \$1,30 at that time

Q Worth how much in all?

A \$691 - and some cents

Q About that?

A Yes.

By the Court

Q If you know state what was to be done?

A When defendant delivered them back to us he was to receive \$239.20 for his labor.

Q Did he deliver them back?

A No sir; he did not.

By the Court

Q at what time was that?

A On Saturday evening he had them and he was to return them on the following Saturday.

Q Did you make a demand for the skins.

A Yes Sir.

By the Court

Q And you have not recovered them?

A No Sir.

Q When again did you see these skins?

A I did not see them - The Officer is here with what he claimed was left. They look like the same skins.

Q Are these the same skins?

A These skins are very hard to recognize because they are all so much alike.

Now Examined by Mr. Hirschfeld.

Q Are you in the employ of Mr. Freedman now?

A As bookkeeper, <sup>not</sup> now.

Q What are you doing?

A Transactions for him outside.

Q What were your relations with him at that time?

A Helping them there about a month during the busy season.

Q You were not employed by Mr. Freedman continually?

A I have been employed for Mr. Freedman during this transaction?

Q What kind of work

A all work outside.

Q What was your work?

A Salesman.

Q How long have you been salesman?

A Over a month.

Q You are a good friend of Mr. Freedman?

A Yes.

Q He is a good friend of yours?

A Yes.

Q State what connection took place between Beckenfruch and Freedman at the time when these skins were spoken of before they were delivered at your warehouse present.

A Certainly, I was present. It was at 76 Wooster St. He came up there. He asked for

work. Bekrenfuchs asked for work. He said he had so many hands who had nothing to do and he would make up these skins for 1,30 - Capes, which was actually cheaper than anybody else would do it.

2 For what?

A \$ 259.20

2 What was done?

A He agreed to give him work

2 What did he say?

A He said he would give him work

2 Friedman was to give Bekrenfuchs work?

A Friedman was to give Bekrenfuchs work the skins, and he was to return 130 capes

2 On what day did this conversation occur?

A I guess on the 27<sup>th</sup> of September.

2 What day of the week?

5 A Saturday

Q With reference to these goods:

A Yes.

Q Where?

A At 76 Wooster St on the second floor

Q What place?

A In the office

Q Did you count these skins before they were delivered?

A Several of them did.

Q Did you?

A No sir

Q You personally do not know of your own knowledge how many there were

A I know of my own knowledge that he counted it and acknowledged that there was 532 skins. He sent there was four skins to a cafe. He said there was 432 skins

Q You personally heard that?

A Yes

Q How much do you say the skins were worth that

day?

A \$ 1.50

Q Not in for one skin?

A Yes

Q You are positive that these skins were worth on that day — ?

A \$ 1.50

Q When did you see the defendant after these goods were delivered?

A At his house.

Q When?

A The following Saturday.

Q What did you do?

A I called for the Cafes.

Q What did you say to Bohrenfuch?

A I asked him to let me have 2 dozen cafes. He said he has not got two dozen. I said "Deliver a dozen then." He said he did not have a dozen. I suspected something had

Q gone wrong  
Q What happened?

A I went back and explained  
the thing to the Freedman. Then  
I called Monday morning -  
Sunday I put a couple of  
men to watch.

Q When did you see him?

A On Monday morning I called  
up for the skins

Q What was said?

A I said I wanted the  
skins. He said "Well you  
have put men to watch  
me - do you think I was  
going to run away?" I said  
"It looks very much like it."  
He said "Well; I won't give  
you anything now

Q That was all the conversation?

A That was all. I said I would  
be at court.

Q Freedman instructed you to  
come to court?

8 A No sir

Q Did you come of your own accord?

A Yes Sir - certainly he ordered that I should come.

Q Then he told you to come?

A He told me to come - yes.

Q You did not come without instructions from Mr Freedman?

A No Sir - I did not ask Mr Freedman - the Officer told me to come up and get this warrant.

Q Mr Freedman was satisfied for you to come up and get this warrant?

A Certainly - the officer said I could explain matters better to the Judge.

Q How long have you known Mr Freedman?

A 20 years.

Sworn to before me this 29<sup>th</sup> day of October 1890

Police Justice.

9 Benjamin Freedman being duly

sworn as a witness for the People  
deposes and says:

I live at 212 E. Broadway, my  
business is furs. My shop  
is at 76 Wooster St.

Q Do you remember this transaction  
with Eff.?

A Yes sir

Q state exactly what occurred?  
at the delivery of these  
goods to the defendant?

A Defendant was working  
for me. He showed deliver  
me 130 copies. He was to  
receive \$239.20

Q You gave him these furs  
to make up?

A To make up into copies

Q How much was you to  
pay him?

A \$239.20

Q Is this one of your skins?  
(A skin shown)

A I cannot swear - it don't  
look like it.

Q (By the Court) The goods that you gave to him, for which you were to pay. Has he ever returned them?

A Nothing at all Sir

Q Have you endeavored to get them?

A He promised me every day he would give them

Q You have not been able to find get them?

A No Sir

By the Court

Q You had a memorandum made of these goods at the time he took them?

A Yes Sir

Q By whom?

A By my daughter

Q At your residence?

A Yes

Q Is this it?

A Yes

Memorandum People & A.

By the court

Q What did you do to try to get the goods?

A I tried several times. He promised he would have them all done.

Q Who sent that?

A Mr. Bakerfuchs. I went there Monday, Wednesday and Thursday. He said he could not have them until Saturday.

Q You have not recovered your property?

A I have not.

Q Neither copies nor films?

A No sir, nothing at all.

Q Were you present when this paper E. A. was made?

A Yes sir.

Q On the day and date a question written on the paper.

A Yes sir.

Q It was not rewritten later

12 and after this part was

began

A No sir

Q How long do you know  
Mr. Behrenfueh?

A A couple of years.

Q Did you have business  
with him?

A I bought goods of him.

Q He bought goods?

A I never sold him any goods.

Q He is a manufacturer  
on his own account is he  
not?

A I do not know where he  
buys goods. I bought goods  
of that man.

Q You know that within  
three or four weeks he paid  
you a back bill for goods?

A No sir

Q Did you used to go to  
Mr. Behrenfueh's place of  
business often?

A Yes.

13 Q You were good friends with

him often always?

A Yes Sir; I gave him goods  
to work.

Q He confided in you his  
private matters?

A Never.

Q Do you remember being in Mr  
Behrenfuch's place after  
these skins were delivered

when a gentleman by the  
name of Poyar was there?

A Yes Sir.

Q And what passed between  
Behrenfuch and Poyar in  
your presence with reference  
to these skins?

A Yes Sir.

Q Do you know a gentleman  
by the name of Jacobs?  
being present after these goods  
were delivered to Mr.  
Behrenfuch's place when you  
were present?

A No Sir.

14 Q Do you remember seeing Mr

Harris there at one time?

A I cannot remember

Q With you swear that Mr. Harris was not there?

A No sir,

Q You cannot swear that a conversation did not take place between Beberfuchs and Harris in your presence with reference to these same facts?

A No sir

Q Have you your books here?

A Yes sir

Q Two books produced

Q And there is no entry of any transaction between you and Mr. Beberfuchs at any time within the last two years?

A No

Q You have no books with the entry of any transaction?

A No sir

Q Do any of your books contain transactions where you bought from Mr. Beberfuchs goods

within the last few months

A No sir

Q You have no books in your possession in which any such transaction appears?

A No sir

Q You are a wholesale furrier are you not?

A Yes sir

Q Selling furs and skins and manufacturing skins?

A Yes.

Q You have large transactions?

A Most certainly

Q These are all the books you have in your place

A Yes

Q What were astakaka skins of this quality worth at that time?

A I cannot exactly say - about \$1.30.

Q How long ago did you buy these goods?

16 A Four or five months ago

Q You do not know what these furs were worth at the market value

A Certainly I do know

Q This (skin shown) is the quality of furs that you had and delivered;

A I do not think so.

Q They were black Astrakans

A Yes; but a different kind altogether

Q Your book keeper says that these are the same quality - he must be mistaken

A I do not know anything about that.

Q You do not know anything about this skin.

A I do not consider that that is my skin

Q Will you swear that this is not?

A I would not swear

Q You cannot tell?

17 A I cannot tell.

Q Do you know as a matter of fact that Behrenfrieder does not take out work from manufacturers to make for them?

A I do not know sir

Q Now this the first time or the second time you gave work to make up?

A The first time sir

Q Can you show any others that he has done before that

A I can show you that I delivered goods

Q You can show that you gave him orders to make up these goods?

A Yes

Q How?

A My workmen delivered the skins many times - his workmen came there after the goods

Q You swear that you did not sell at a certain figure

these goods and tell him to  
make up cases, and you  
would afterwards buy them?

A Never.

Q Did you not call at Mr  
Behrenfuch's place and  
ask him to let you buy  
them - and give you the  
preference?

A Never.

Q Did not Mr. Behrenfuch  
tell you that if you would  
pay him the advance figure  
he would give you the preference  
and that you should get them  
a little cheaper.

A No Sir

Q You know that Mr. Behrenfuch  
carries on the business?

A Yes Sir

Q You know that these goods  
were delivered to the place  
and possession of Mrs. Behren-  
fuch don't you?

19 A Yes Sir

Q Mrs Behrenfuchs?  
A Mr. Behrenfuchs was the man

Q Mrs Behrenfuchs carries on  
the business?

A Yes.

Q The goods were delivered at  
the place?

A In the place of Behrenfuchs  
and Mrs Behrenfuchs.

Q You knew at that time that  
Mr Behrenfuchs acted as  
attorney for his wife?

A Yes Sir

Q These goods were given  
to him as attorney for  
his wife?

A I do not understand Sir.  
I know that that man was  
the manager and that he  
took the goods from my  
house. He got them. I  
delivered them.

Q He took the goods as  
attorney for his wife?

A I do not understand - he  
took the goods to make up  
Re-direct

Q You delivered to defendant

A Yes.

Q He is the man who got  
the skins?

A Yes.

Q He was to return the skins  
safes?

A Yes.

Q You did not know the  
woman in the matter  
at all?

A I did not speak to her  
but only with him

Re-cross

Q You knew that he was  
attorney for Mrs Babreupels  
and <sup>she</sup> carried on the business  
and she was to make  
up the goods?

A I made the bargain with  
him I know him and  
not her

Q you knew the goods were to be made up by her?

A No she did not make up - he was going to make up.

Q State whether this conversation took place with reference to giving these goods to Mr. Beckenbush?

A Right in my place at No 76 Wooster St

Q What part?

A On the top floor.

Q How many floors are there?

A Two.

Q What room.

A Only one

Q Have you an office there?

A Yes - an office

Re direct

Q - You were going to say something about the delivery of the goods when you were interrupted

A He said for me to get him

losing money. He asked for  
goods to make up. I  
refused him. Afterwards  
he came at 5 o'clock and  
said that if I did not  
give him what he would  
lose money. So I made  
a bargain. I was in a  
great hurry to have them.

Sworn to before me this 29<sup>th</sup> day  
of October 1890

Police Justice.

Mr. Caspe being duly sworn and  
examined as a witness for the  
People depose and says: I live  
at 212 East Broadway

Q Are you employed by  
your father?

A I am in the office there.

Q Did you write the document?  
(Paper E.A. shown)

A Yes Sir

Q Did you make it that  
Merringer memorandum?

23 A Yes Sir

Q Did you make it at that time?

A I made it on the same day as this transaction across Edmund

Q Complimentary to your father? Claim these goods?

A Yes.

Q Do you remember the connection at that time?

A I remember Mr. Behrens coming. He said Mr. Friedman will you let me have some work "that he had no work for his people and that he would lose money if they did not have work. Behrens went away. He came back in the afternoon

Q What was Mr. Behrens to do with these skins?

A He was to make them up into cases and he was to deliver them on the following Saturday.

Cross examined

Q You are a married lady?

A Yes.

Q Do you keep house ~~for~~  
for yourself?

A No sir

Q You do not work for  
your father

A No sir - I am over there

Q You were present and  
saw what took place?

A Yes sir.

Q Do you know what part  
of the day you delivered  
these goods to the defendant

A In the afternoon - between  
five and six o'clock.

Q Did you have any conver-  
sation on the subject?

A I did not have any  
particular conversation.

Q You did not speak anything  
in reference to the testimony  
you were to give?

25- A No sir

Q You did not speak at all about these goods as to what happened that morning to your father?

A No, Sir

The People Rest

Mr Hurlford moves to dismiss the complaint

Motion denied  
Exceptin

Robert Debenfuchs being duly sworn and he affirmed as a witness in his own behalf depose and says,  
I live at 195 Greene St.

Q You are attorney for Mary Debenfuchs your wife?

A Yes

Q What is your business?

A I'm manufacturer

Q A large manufacturer of goods on your own account?

A Yes, Sir

Q Do you ever take out any goods from any one to

make up!

A No Sir.

Q Do you personally ever take goods or skins from any one to make up - the manufacture?

A No Sir

Q How long have you been in business?

A Six Years

Q Always carried on business on your own account?

A Yes Sir

Q How long do you know Mr Freedman?

A Six years

Q Come down to the last 9 months, have you had business transactions with Mr Freedman?

A Yes Sir

Q What were they?

A I bought skins from him 6 or 7 months. Freedman bought skins from the importers on

ture, and I bought from him  
for cash.

Q You bought goods to manufacture

A Yes

Q You have heard the testimony  
of Mr Sacks and Mr Freedman  
here with reference to ashtrays?

A Yes

Q Will you state whether that  
is true?

A I have bought ashtrays from  
Freedman for 65 cents -

Q Is their statement true?

A No Sir

Q Now state what conversation  
you had on or before the  
delivery of these goods to  
you - with Mr Freedman or  
Mr Sacks?

A You know I had nothing  
in my life with Mr Sacks -  
I always do business with  
Mr Sacks, Freedman.

Q Sacks was not present?

28 A He was not

Q State what the conversation was:

A Well I bought from him goods - he has bought from me goods.

Q With reference to these goods when you came to him

A I came to him - we arranged that I should take the goods at 65 cents a skin.

Q He delivered the goods to you?

A Yes - I asked him why he wanted so much for the skins because the skins thus cost  $57\frac{1}{2}$  cents. He said he kept them 4 or 5 months and wanted profit because the skins got deurer.

Q You are positive that you did not take the skins from Freedman for the purpose of making up capes for him

A No Sir I did not

29 Q State after these goods were

delivered when you saw  
Freedman met?

A He delivered to me goods  
on the 27th of last month  
The same evening he came  
to me, and came three or  
four times a day.

Q What for?

A For business - sometimes  
wanted capes - we had  
business every time.

Q Did you have any conversation  
with him afterwards in your  
place in reference to these  
skins?

A Yes.

Q What was it?

A He told me Rogers  
he had a good customer for  
100 skins capes. I have  
got 100 capes they would  
be done.

Q Now Mr. Freedman present.

A Yes Sir.

30 Q Did Freedman say anything?

A He did not say anything  
Q You told Reyer about the  
cafe?

A Yes Sir Ashtoken cafe.  
Q Did you tell him where  
the skins came from? I  
told him the skins were  
from Freedman 65 cents  
and Freedman told him  
the same thing

Q Freedman was present?

A Yes Sir  
Q Mr Sacks says you were  
to return to the Freedman  
cafe made from these  
skins?

A No Sir

Q You had sold Freedman  
cafe?

A Yes.

Q At what price?

A at \$4.25 and \$4.50.

Q Did he, after these goods  
were delivered were delivered  
come to you and ask you

to sell capes?

A Yes.

Q What did he say?

A I told him I can sell capes at \$4.50.

Q What did he say?

A He say I should pay for the skins more.

Q What did you say?

A I say I would not pay more than 65 cents.

Q He at no time claimed that these skins belonged to him and that he had given them to you to make up.

A He did not claim that the skins belonged to him.

Q Who keeps your books?

A Myself.

Q Where you got them here?

A Yes sir.

Q You say you have been buying goods from

Wesman for the last

nine months?

A Yes sir.

Q And during that time did he give you a bill?

A No sir.

Q Did you ever at any time give him bills?

A No sir, I did not give him bills.

Q How do you know

A It was written in my book. He has got it written in the books - some is in my book.

Q You credited the books for goods you bought and whatever goods you sold you charged?

A Yes - sometimes he credited me.

Q Did you make an agreement with Mr. Friedman that he should pay you \$1.30 for making up the caper.

A No, I did not make any agreement at all.

Q Was this young lady the last witness present at the time?

A No sir. I saw this lady a couple of times. She was not there when I took the skins.

Q Was she there when you spoke to Freedman?

A No sir: She was not and Mr Sachs was not.

Q Who was present?

A I was with Mr. Freedman. There was nobody present more.

Q In what language are these books kept?

A Hebrew

Q Turn to the page of the transactions between you and Freedman

A - 2r (pointing) Here I bought goods from Freedman

- Here I sold goods to Freedman
- Q Where is the entry with reference to the skins in question?
- A - Here \$ 531 skins at 65 cents. \$ 345 - "
- Q Will you state when you bought goods prior?
- A The 20th of August
- Q What did you buy then?
- A Eight Astakan skins 69 cents, some skins \$ 12.79
- Q Before that
- A Before that on the 12th of August; 129 Astakan skins 55 cents. \$ 69.85
- Q What are these others?
- A 32 Astakians, 5000 Tuffet buttons,
- Pages marked A. B. C. & D E for diff. The pages are numbered 37. 38. 39 40 and 41

0308

**PAGE(S) ARE  
MISSING**

**DOCUMENTS  
FILMED AS  
FOUND**

Q You say that Mr. Freedman  
sold you these goods?

A Yes.

Q For 65 cents each?

A Yes. I was to give him  
cash for it.

Q You did not give him  
money?

A I did not give him a  
cent of money, no.

Q You did not get a bill?

A No sir.

Q On that day were you  
in business for yourself?

A Yes sir.

Q For yourself?

A As agent.

Q Were you in business on  
that day for yourself?

A No sir.

Q Can you do business in  
your own name?

A Yes sir.

Ojected to

39 Q On the day in question

you were Attorney for your wife?

A Yes

Q Doing business for your wife?

A Yes sir

Q It was her name that was up?

A Yes sir

Q Prior to this your place was in the hands of the sheriff?

A Yes sir

Q Did not these people know you were in the hands of the sheriff?

A Yes sir

Q You told them about it,

A Yes sir

Q It was after that that you transferred the property in these premises to your wife?

A Yes sir

Q Did you give them an attachment on the property?

40 A Yes

Q at the time you the sheriff closed up the place did you owe any money to Mr. Freedman?

A No sir, not a cent

Q These skins in question were they delivered to you bought by you or delivered to you as attorney for your wife?

A They was delivered to me. I took the goods from Mr. Freedman.

Q For yourself?

A Well; all the same -

Q on the same day did Mr. Freedman buy some goods from you?

A Yes.

Q What?

A 2 dozen cakes \$6.00

Q Did he pay you?

A No sir! He took it on account of these skins

Q How much did Mr. Freedman

owe you for goods purchased from you.

A It is \$124 that I owe to him.

Q Outside of these Astrakans how much did Friedman owe you for goods sold and delivered to him?

A \$144

Q Did you have a bill for anything?

A Never.

Q You never gave him a bill?

A I did not give him a bill and he never gave me a bill.

Sworn to before me this 29<sup>th</sup> day of October 1896

Police Justice

Abraham R. Rogers being duly sworn and examined as a witness for defendant depones and says: I live at 316 East 42<sup>nd</sup> St. N.Y. I sell goods on

commission for Furrers

Q Did you ever sell goods for  
Behrenfuch?

A Yes I do

Q Do you know Freedman?

A Yes I do.

Q Were you present at any  
time when Freedman was  
present in Behrenfuch's  
place when something was  
spoken with reference to the  
Astrakhan skins in question?

A Yes

Q What was said by him?

A I came in Behrenfuch's  
place. Freedman was  
present. I said to Behren-  
fuch "You have bought  
Astrakhan skins?" He  
said "Yes; I bought from  
Mr. Freedman." Mr. Freedman  
was present and heard it.  
I asked Behrenfuch "What  
did you pay?" He said  
65 cents.

Q Mr. Freedman was present?

A Yes sir

Q That is all you know of the transaction?

A That is all.

Sworn to before me this 23 day  
of October 1900

Police Justice.

Benjamin Freedman recalled.

Q Did you buy from him a dozen milk cans?

A Yes

Q On the same day that these goods were delivered?

A No sir.

Q On the same day that these goods were delivered?

A No sir.

Q About that time that these skins were delivered to Mr. Beckenbach did you get from Beckenbach some milk cans?

A No sir. I only bought one dozen from Mr. Ray here

44

a couple of dollars

Sworn to before me this 29 day  
of October 1940

Police Justice.

Max Harris being duly sworn  
and examined as a witness for  
the defendant deposes and  
says: I live at 13 East St.  
New York Place. I am a furrier.  
I know the complainant and  
defendant.

Q Did you hear a conversation  
with Freedman in reference  
to these skins?

A Yes sir.

Q Where?

A The first time we were  
in court we walked together  
from the court house and  
he explained to me the  
matter.

Q Who did?

A Mr. Freedman - and he said

45 - He charged him for the

skins at 65 cents and he agreed with him for a certain price when the capes were finished he would sell him the capes.

Q What is what Freedman told you?

A Yes

Q Did you ask him any question?

A I asked him whether he gave him a bill. He said no. I said "Did you get a receipt that he took the skins from you?" He said "No". He said "I buy goods of him and he give me no bills and I sell him goods and I give no bills."

Q He told you that these goods were sold to Baker for 65 cents apiece?

A Yes.

2. where do you live:

A - 191 ~~Green~~ St. Greene St.

Q who told you to have a  
conversations with Freedman.

A We walked home together.

Q Did anybody tell you?

A No Sir

Q You came for dependants;

A I was summoned to appear  
in court

Q What was the connection  
exactly?

A Mr. Freedman sent to me  
when I asked him how it  
was on this matter. He

told me he said that  
he charged him for the skins

65 cents. I said "Did you  
give him a bill;" He said

"No" I said "Have you  
got a receipt?" He said

"No" I said "What business  
were you doing without bill,  
and without receipt?" He

said "I charge him for the

skins, 65 cents and he was  
to make coffee. He made  
an agreement of the price  
he should sell the coffee.  
He did not want to give  
me the coffee.

By the court

Q Were you present in court  
on the day defendant was  
arrested?

A I did not know what it  
was when I was brought  
down.

Q Did you say anything about  
the price at that time of the  
defendant's arrest?

A Yes sir.

Q Did you make use of  
those words "if he has no  
bills he has no case"?

A I think I mentioned that  
name.

Q How did you come to  
court?

48 A From subpoenaed

Q But you got a subpoena to come here at the time of the arrest?

A I think I received a subpoena at that time to appear in court

Q How did you know that the complainant did not have a case if there was no bill made out?

A As much as I understood at that time as I figured it he must have a paper bill

Q How did you figure on paper?

A He said he brought it and I said "Have you got a bill?"

Re. arrest

Q Did you at the time the arrest was made know anything of the transaction between Freedman and Beckenbush?

A No Sir. I did not know anything about it.

By the Court

Q After you had had this conversation with Mr. Freedman did you tell this conversation to anybody; to whom?

A There were a gentleman I guess who was present.

Q Whom did you tell?

A I tell Mr. Bahenpuck, the defendant.

A Defendant's wife

Q When did you tell her?

A I went up stairs and told her.

Q You told Mr. Bahenpuck, what Mr. Freedman had said

A Yes Sir

Re-direct

Q Did you go and see Freedman?

A I did.

Q What conversation did you have with him?

A The conversation I told you before

Q Have you testified here  
 all you know of this case  
 A Yes. He said he would  
 settle the case. Freedman  
 said that he was satisfied  
 to settle

Re direct

Q Did Mr. Bakerfuch tell  
 you to go?

A No Sir

Sworn to before me this 29 day  
 of October 1950

Police Justice.

Salomon Jacob being duly  
 sworn as a witness for the  
 defendant before and  
 says. I live at 121 Greene  
 St. I am in the furrier  
 business. I work for myself

Q Do you know Mr. Bakerfuch?

A Yes I know him

Q Do you know Freedman?

A I know

Q Did you ever have any  
 connection with Freedman

about these skins?

A No.

Q At the time that these skins were delivered did you see Sack there?

A No sir.

Q You are sure that Sack was not there?

A Yes.

By the Court

Q You are quite sure you did not see him?

A I only saw Mr Freedman

Sworn to before me this 29<sup>th</sup> day of October 1890

Police Justice.

Bernard Elabrecht being duly sworn and examined as a witness for Defendant Depose and say: I am in the fur business, I live at 97 North St. I am in business for myself.

Q Do you know Mr. Dehenfuchs?

52 A Yes

Q and Mr Freedman?

A Yes.

Q Do you know anything with reference to this transaction?

A Yes.

Q What do you know

A I know Mr Behrenfuchs lives in my house.

Q Do you know whether Mr Behrenfuchs takes in work?

A No Sir, he does not take in work.

Q Not to your knowledge.

A Not to my knowledge, he never took work out

Sworn to before me this 29 day of October 1950

Police Justice.

Samuel Speckholz being duly sworn and examined as a witness for the People deposes and says: I live at 172 Rivington Street

Q You work for Mr Behrenfuchs?

57 A Yes Sir

Q Were you at any time present when a conversation took place between Behrens and Freedman with reference to the skins in question?

A Yes.

Q State the conversation.

A He brought these furs in on the Saturday in question. On Monday Freedman came to Behrens and told him he came up to get a few of the cofer, as he wanted them for his customers.

Q What did Behrens say?

A He said that he had finished a few and he would make them up as quick as he could.

Q (Repeated)

A Mr. Freedman told Mr. Behrens that he should like to have some of those cofer. Behrens answered that "I will see if I can

make them up. I will see  
what I can do

Q Were there anything else  
said?

A I never heard anything  
else at that time.

Q Do you know anything  
else of this transaction?

A No.

Sworn to before me this 29 day  
of October 1890

Police Justice.

Meyer Kraus being duly  
sworn as a witness for the  
Defendant deposes and  
says, I live at 38 Fourth  
Avenue. I sell goods on  
commission - fur at  
wholesale. I have sold some  
for Behrenfuehr and some  
for Freedman.

Q Were you present at any time  
in Mr Behrenfuehr's place  
when a conversation was

had in the presence of Mr

Freedman with reference to these skins

1- You not present when Mr Freedman was there

2 what do you know about this case,

A Previous to the arrest I came of and saw the skins and Mr Baberfuch said -

2 was Mr Freedman there?

A He was not there

2 Did you have any communication with Baberfuch when Freedman was there?

A No sir

Sworn to before me this 29 day of October 1890

Police Justice.

Louis Liberman being duly sworn and examined as a witness for defendant before and says: I live at No 96 Eldridge St. I work for Mr Baberfuch 2 1/2 years

2 Do you know whether  
the Beckenfuhrer takes work  
from other manufacturers  
to make of. Does he  
make of work for other  
people?

Objection to

Objection sustained

POOR QUALITY  
ORIGINAL

0320

Work given out to Aerenfus. Sept. 27 to 1897.  
332 Astrakhan skins to make 130 capes, labor includ-  
ing satin should amount to \$239.20

Rec'd E. A. Oct 20 21

POOR QUALITY ORIGINAL

0329

Sec. 192.

2 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before John J. Gorham a Police Justice of the City of New York charging Robert Behreufels Defendant with the offence of Burglary

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, Robert Behreufels Defendant of No. 195

Greene Street; by occupation a Agent  
and Morris Dambosky of No. 143 East Broadway  
Street, by occupation a Real Estate

Surety, hereby jointly and severally undertake that the above named Robert Behreufels Defendant

shall personally appear before the said Justice, at the 2 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 Twenty five Hundred Dollars.

Taken and acknowledged before me, this 8 day of October 1890

John J. Gorham  
POLICE JUSTICE.

R. Buenger  
Morris Dambosky

POOR QUALITY ORIGINAL

0330

CITY AND COUNTY } ss.  
OF NEW YORK }

*Sworn to before me, this 28th day of October 1881.*  
Justice

*Morris Dempsey*

the within named Bail and Surety being duly sworn, says, that he is a resident and *free* holder within the said County and State, and is worth *Twenty* 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 *House lot No 92*

*West Street, of the Value of Eighteen thousand dollars over all encumbrances*

*Morris Dempsey*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

*Undertaking to appear during the Examination.*

Taken the ..... day of ..... 18

Justice.

POOR QUALITY ORIGINAL

0331

Police Court 2nd District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

Solomon J. Sachs

of No. 46 Houston Street, aged 25 years,  
occupation Book Keeper

being duly sworn  
deposes and says, that on the 27 day of September 1888 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

five hundred and thirty two Skins.  
for the making of 132 Capes. of  
the value of six hundred & ninety one  
69 Dollars.  
\$691 <sup>00</sup>/<sub>100</sub>

the property of Agents Employed Benjamin  
Wideman and in care and  
charge 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 one Robert Behrenfuhs  
from the fact that said Skins were  
delivered to said deponent to be  
made up by him to Capes.  
Deponent demands the said property  
from said deponent, and he  
refuses to deliver the same, and  
does conceal the same.  
Deponent charges that said deponent  
does unlawfully retain said  
property and does deprive the  
true owner of the use and  
benefit thereof.

Solomon J. Sachs

Sworn to before me, this  
day of September 1888  
Solomon J. Sachs  
Police Justice.

POOR QUALITY ORIGINAL

0332

Sec. 198-200.

District Police Court

CITY AND COUNTY OF NEW YORK, ss.

Robert Behrenfels 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.

Robert Behrenfels

Question. How old are you?

Answer.

32 years

Question. Where were you born?

Answer.

Austria

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

Answer.

195 Greene St.

Question. What is your business or profession?

Answer.

Agent

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  
R. Behrenfels

Taken before me this day of

188

Police Justice

POOR QUALITY ORIGINAL

0333

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 County OF NEW YORK, } 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 Salman J. Dack

of No. 76 Waverley Street, that on the 27 day of September 1888 at the City of New York, in the County of New York, the following article, to wit:

one hundred thirty-two Miss

of the value of approximately \$6.00 Dollars,

the property of Benjamin Friedman was taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Benevolus

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 the 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 6 day of October 1888  
John Forman POLICE JUSTICE.

POOR QUALITY ORIGINAL

0334

\$2500 bail for  
Oct 11 9 30 AM  
21 2 PM  
23 11 PM  
24 2 PM

BAILED  
No. 1, by Sperry's Surety  
Residence 178 E. 17th St.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

The printing process is authorized to determine the absence and to Police Justice.

130 W 63  
Police Court  
District  
1666

ON THE COMPLAINT OF  
Arthur H. ...  
Offence Swamy ...

Dated Oct. 6 1890  
Magistrate  
Officer  
Witnesses  
Street  
Street  
Street



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

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

Dated Oct. 24 1890 [Signature] Police Justice.

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

Dated Oct 24 1890 [Signature] Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

POOR QUALITY ORIGINAL

0335

DISTRICT POLICE COURT.

THE PEOPLE,  
ON COMPLAINT OF

*Abraham J. Bach*  
*Robert Behrens*

Examination had *Oct 27* 188*6*  
Before *Edward Hogan* Police Justice.

I, *W. L. Ormsby* Stenographer of the *2* District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of *Abraham J. Bach, Robert Behrens, Benjamin Freedman et al.* as taken by me on the above examination before said Justice.

Dated *Oct 29* 188*6* *W. L. Ormsby*  
Stenographer.

Police Justice.

POOR QUALITY ORIGINAL

0336

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Robert Belmont

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

Robert Belmont

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

The said Robert Belmont,

late of the City of New York, in the County of New York aforesaid, on the 14th day of September, in the year of our Lord one thousand eight hundred and eighty, at the City and County aforesaid, being then and there the clerk and servant of agent and trustee of

Benjamin Friedman,

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

the true owner thereof, to wit: five hundred and twenty

two Arabian dimes of the value of

one dollar and twenty five cents each,

the said Robert Belmont, 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 goods, chattels and

personal property to his own use, with intent to deprive and defraud the said Benjamin Friedman

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said Benjamin Friedman.

did then and there and 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.

JOHN R. FELLOWS, District Attorney.

0337

**BOX:**

416

**FOLDER:**

3844

**DESCRIPTION:**

Berthe, Matilda

**DATE:**

11/03/90



3844

**POOR QUALITY ORIGINAL**

0338

6  
*for pleading start*

Counsel,  
Filed *9* day of *Nov.* 18*90*  
Pleads, *Nov. 17*

THE PEOPLE  
vs.  
*Mahida Berthe*  
KEEPING A HOUSE OF ILL FAME, ETC.  
[Sections 822 and 835, Penal Code.]

JOHN R. FELLOWS,  
*District Attorney.*

*Transferred to the Court of Special Sessions for trial and final disposition.*  
*Part 2, Sec. 104, ... 1892.*

**A True Bill.**  
*J. J. Jorgensen*  
Foreman.

Witnesses;

POOR QUALITY ORIGINAL

0339

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK, against

Matilda Berthe

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

Matilda Berthe

(Sec. 262, Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL-FAME, committed as follows:

The said

Matilda Berthe

late of the 15th Ward of the City of New York, in the County of New York aforesaid, on the fourth day of October in the year of our Lord one thousand eight hundred and ninety, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

Matilda Berthe

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, 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

Matilda Berthe

(Section 385, Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said

Matilda Berthe

late of the Ward, City and County aforesaid, afterwards, to wit: on the fourth day of October in the year of our Lord one thousand eight hundred

**POOR QUALITY ORIGINAL**

0340

and *ninety*, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in *her* said house, for *her* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, 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

*Matilda Berthe*  
of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

(Section 322  
Penal Code.)

The said *Matilda Berthe*

late of the Ward, City and County aforesaid, afterwards, to wit: on the *fourth* day of *October* in the year of our Lord one thousand eight hundred and *ninety* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *her* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times there unlawfully and wilfully did cause and procure, and the said men and women in *her* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,  
District Attorney.

0341

**BOX:**

416

**FOLDER:**

3844

**DESCRIPTION:**

Biesterfeld, Louis

**DATE:**

11/13/90



3844



0343

POOR QUALITY ORIGINAL

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Louis Bierfeld*

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

indictment, accuse *Louis Bierfeld*

of the crime of *keeping and offering for sale negroes not having the acidity required by law,* committed as follows:

The said *Louis Bierfeld*,

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

*eight* day of *August*, in the year of our Lord one thousand eight hundred and ninety \_\_\_\_\_, at the City and County aforesaid,

*did unlawfully keep for sale, and offer for sale to divers persons to the Grand Jury aforesaid unknown, a quantity, to wit: Ten gallons of vinegar which did not have an acidity equivalent to the presence of at least*

POOR QUALITY ORIGINAL

0344

W. W. J. M. M. M.

Two and one-half per centum, by weight, of absolute acetic acid, against the form of the State in such case made and provided, and against the peace and dignity of the said People.

Second Count. - And the Grand Jury aforesaid, by this indictment further accuse the said Louis Bickel of the crime of passing and offering for sale cider, vinegar not having the acidity and cider vinegar solids required by law, committed as follows: The said Louis Bickel did, at various times and on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully pass for sale, and offer for sale to divers persons the said Grand Jury aforesaid understand, a quantity of such cider vinegar which did not contain an acidity equivalent to the presence of at least two and one-half per centum, by weight, of absolute acetic acid, and which had less than two per centum, by weight, of cider vinegar solids, upon a full evaporation over boiling water; against the form of the State in such case made and provided, and against the peace and dignity of the said People.

Third Count. - And the Grand Jury aforesaid, by this indictment further accuse the said Louis Bickel of the crime of passing and offering for sale, vinegar and product in imitation and semblance of cider vinegar, which

**POOR QUALITY  
ORIGINAL**

was not cider vinegar, committed as follows: The said Lewis Bickel held,  
of New York, to wit: on the day and in the year aforesaid, at the City and County  
aforesaid, did unlawfully keep for sale and offer for sale to divers persons  
to the regard of the said aforesaid unknown, a quantity to wit: ten gallons of a  
certain vinegar, and product in imitation and semblance of cider vinegar,  
but which was not cider vinegar, against the form of the Statute in such  
case made and provided, and against the peace and dignity of the said People,

County of New York: And the Grand Jury aforesaid, by this indictment further accuse  
the said Lewis Bickel of the crime of keeping and offering for sale as and for  
cider vinegar, a vinegar and product which was not cider vinegar, committed as  
follows: The said Lewis Bickel held, of New York, to wit: on the day and in  
the year aforesaid, at the City and County aforesaid, did unlawfully  
keep for sale, and offer for sale to divers persons to the regard of the  
said aforesaid unknown, a quantity to wit: ten gallons of a certain vinegar  
and product which was not cider vinegar, as and for cider vinegar, against  
the form of the Statute in such case made and provided, and  
against the peace and dignity of the said People

John R. Mellons,

District Attorney

0346

**BOX:**

416

**FOLDER:**

3844

**DESCRIPTION:**

Boyd, Thomas

**DATE:**

11/12/90



3844

**POOR QUALITY ORIGINAL**

0347

Counsel,

Filed

12<sup>th</sup> day of Dec 1890

Pleads,

THE PEOPLE

vs.

Thomas Boyd

*Grand Larceny, and degree MISAPPROPRIATION*  
(Sections 528 and 531 of the Penal Code).

JOHN R. FELLOWS,

District Attorney.

**A True Bill.**

*J. W. ... Foreman.*

*John ...*

*Charles P. ...*

*Edw. ...*

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

POOR QUALITY ORIGINAL

0348

Police Court - 2 - District.

Affidavit - Larceny.

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

of No. 10-3 Greene Street, aged 24 years,  
Harry Marks.  
occupation Furs being duly sworn

deposes and says, that on the 27 day of October 1889 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

Good and lawful money of the United States to the amount of thirty dollars

\$ 30 <sup>00</sup>/<sub>100</sub>

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

Thomas Boyd (Grocery) from the fact that upon said date the said defendant was in deponent's employ as Cashier and Bookkeeper deponent caused an examination of his books and the books of which the defendant had charge to be made when he discovered that upon said date that said money was not turned over to him deponent but was charged against deponent upon the books of deponent and in the handwriting of the defendant; Deponent then caused the arrest of the said defendant charging him with the

Showered before me this 27th day of October 1889  
Police Justice

larceny of said money when he the  
defendant did of his own free will  
and <sup>to deprive</sup> ~~for~~ the ~~benefit~~ and hearing  
of Detective Charles Heidelberg of the  
Central Office Police that he had taken  
the said money and has appropriated  
it to his own use and benefit

Wherefore defendant charged the said  
defendant with feloniously appropriating  
the said sum of money to his own  
use and benefit, and prays that  
he may be held and dealt with  
as the law directs

Sworn to before me  
This 7th day of Nov 1890

Harry Marx

J. J. [unclear]  
Police Justice

POOR QUALITY ORIGINAL

0350

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged \_\_\_\_\_ years, occupation Charles Heidelburg  
Detective Sergeant of No.

Central Office Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Harry Marks

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

Sworn to before me, this 7 day of Nov 1899 by Charles Heidelburg

[Signature]  
Police Justice.

POOR QUALITY ORIGINAL

0351

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Thomas Boyd

Question. How old are you?

Answer.

25 years

Question. Where were you born?

Answer.

West City

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

Answer.

171 East 96 St; 14 years.

Question. What is your business or profession?

Answer.

clerk

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 at present,  
Thos. Boyd.

Taken before me this 188

Police Justice

POOR QUALITY ORIGINAL

0352

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

Police Court... 2  
District. 1674

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry Mack  
153 St. Anne

Thomas Boyd

1  
2  
3  
4  
Offence Larceny  
felony

Dated Nov 7 1890

Magistrate  
Hendrick Mack  
Officer  
Precinct

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

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

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

\$ 1000  
LOUISVILLE



Miss  
Cumber

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

Dated Nov 7 1890 William Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

POOR QUALITY ORIGINAL

0353

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 Boyd

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

Thomas Boyd of the CRIME OF Grand LARCENY, in the second degree committed as follows:

The said

Thomas Boyd, late of the City of New York, in the County of New York aforesaid, on the twenty-seventh day of October in the year of our Lord one thousand eight hundred and eighty-six, at the City and County aforesaid, being then and there the clerk and servant of one, Harry Marks,

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

the true owner thereof, to wit:

the sum of thirty dollars in money, lawful money of the United States of America and of the value of thirty dollars;

the said Thomas Boyd 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 Harry Marks of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said Harry Marks

did then and there and 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.

JOHN R. FELLOWS, District Attorney.

0354

**BOX:**

416

**FOLDER:**

3844

**DESCRIPTION:**

Brady, Francis

**DATE:**

11/18/90



3844

Counsel,  
Filed  
Pleads

day of *Nov* 18*90*

*Guilty*

THE PEOPLE

Grand Larceny *Second degree*  
[Sections 528, 531, Penal Code.]

*vs.*  
*Francis Brady*

*John R. Fellows,*  
District Attorney.

A True Bill.

*J. H. Anglin*

Foreman,  
Part II November 26, 1890

*Pleas - Petitionary*

*James L. ...*

*W. Conkling, Jr.*  
*the depts. good*  
*Ch. & Ashes that*  
*the depts. good*  
*W. W. R. L. & P.*  
*that Conkling*  
*they be shown to show*  
*as the same were*  
*the depts. good*  
*that just for*

Police Court 2 District.

Affidavit—Larceny.

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

Thomas L. Ogden

of No. 111 Broadway Street, aged 50 years,

occupation Lawyer being duly sworn

deposes and says, that on the 9 day of August 1887 at the City of New

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

one clock of the value of one hundred dollars

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Francis Brady (now here)

from the fact that said deponent gave the ticket books attached representing the aforesaid property to Detective Sergeant Lenthien and deponent identifies said property as his. That was taken stolen and carried away as aforesaid.

Thomas L. Ogden

Sworn to before me, this 12 day of Aug 1887  
Police Justice.

POOR QUALITY ORIGINAL

0357

CITY AND COUNTY }  
OF NEW YORK, } ss.

*George W. Lantieri*

aged 36 years, occupation Detective Sergeant of No. 300 Mulberry Street, being duly sworn deposes and

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

Sworn to before me, this 12 day of Nov 1887

*George W. Lantieri*

*D. J. C. Smith*  
Police Justice.

[Lined area for additional text]

POOR QUALITY ORIGINAL

0358

Sec. 108-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Francis Brady

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.

Francis Brady

Question. How old are you?

Answer.

50 years

Question. Where were you born?

Answer.

W S

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

Answer.

160 E 48 St

1 year

Question. What is your business or profession?

Answer.

Watchman

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

Answer.

I am guilty of taking the property and thereafter pledging the same  
Francis Brady

Taken before me this  
NOVEMBER,  
188

Police Justice.

POOR QUALITY ORIGINAL

0359

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

Police Court... 2 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James J. O'Brien  
111 Broadway  
Francis Broady

1  
2  
3  
4  
 Offence Larceny  
Felony

Dated NOVEMBER 12 1890

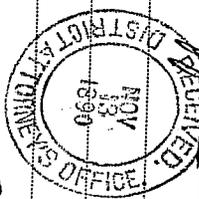
David O'Reilly Magistrate

Geo. M. Handtman Officer

C-O

Witnesses: George M. Handtman

Federal Officer



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

No. 1500 to answer \$ 1500

COMMITTED

Handwritten initials

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 Syrdant

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

Dated NOVEMBER 12 1890 David O'Reilly Police Justice.

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

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

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

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

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Francis Brady

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

Francis Brady

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

The said

Francis Brady

late of the City of New York, in the County of New York aforesaid, on the ninth day of August in the year of our Lord one thousand eight hundred and ninety, at the City and County aforesaid, with force and arms,

one clock of the value of one hundred dollars

of the goods, chattels and personal property of one

Thomas L. Ogden

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

John R. Fellows, District Attorney.