

0231

BOX:

416

FOLDER:

3844

DESCRIPTION:

Balzano, Luca

DATE:

11/12/90



3844

POOR QUALITY
ORIGINAL

0232

Counsel,

Filed

day of

1890

Pleaded

THE PEOPLE

vs.

Enea Balzano

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman.

On Motion of District Attorney
defendant discharged on
his own recognizance.

I have made an examination of this case. I 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 defendant was arrested he was in bed and was ill in bed at the time.

There is no testimony that the people can obtain from the train that after the complainant had been recommended that the defendant be discharged upon his own recognizance.

Part 2, Sec. 14, 1890

W. J. Lawrence

Clk. - Asst.

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 1896

J. 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

2 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.

2 And the complainant identified him.

A Yes

2 The defendant was taken before the complainant?

A Yes in the hospital.

2 He identified the defendant?

A Yes.

Cross Examined

2 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.

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

A He was in bed with a woman.

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

A He said he was sick.

2 You told him he was charged with assault?

4

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 1 day
of November 1890

James C. Smith
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

laboren.

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

A Yes Sir.

2 About what time did you get there?

A I was there in the morning until night.

2 Did dependant go to bed?

A Yes Sir.

2 What time did he go to bed?

A Five O'clock.

2 Were you there when he was arrested?

A Yes Sir.

2 Was there any trouble took place in that house at 5 O'clock?

A No Sir.

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

A No Sir.

Q 2 And there was no trouble there

at all?

A Mr. Br

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 Four 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?

A Yes Sir

By Mr. Racey

Q Could you go in and out both rooms?

A I have two rooms - yes

By Mr. Court

Q Which room did defendant occupy?

A The front.

By Mr. Racey

Q Did anybody come into this room from 5 o'clock except the officer?

A No Sir

Q You were arrested too?

A Yes Sir

Sworn to before me this _____ day
of _____ 1890

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

In case of Balgam the defendant being duly sworn and examined as a witness for the defendant, in his own behalf depone and say:-

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. naked.

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 women?

A A woman who comes and
lives there.

Q Was she your wife?

A No.

Sworn to before me this day
of 1890

.....
Notary Public.

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 Balzano

(name 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

J. C. [Signature] Police Justice.

POOR QUALITY
ORIGINAL

0243

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Luca Bahane

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 Bleecker St / 8 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 Bahane

Taken before me this
day of *Oct* 189*2*

James J. O'Donnell 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 already
certified as to the
prognosis.
H. A. Stansfeld (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. A. Stansfeld (M.D.)
Anne Ferguson

St Vincent's Hosp
Oct 14/90

Richard McDonald
is improving but is
not out of danger

W. A. Lambold 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. Lambold M.D.
House Surgeon

POOR QUALITY
ORIGINAL

0246

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 1886

at the City of New York, in the County of New York, *Richard McDonald*
was violently and feloniously assaulted
and beaten by *Rosa Balzana* (woman)
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

POOR QUALITY
ORIGINAL

0247

that said defendant be committed
for further examination and for the
purpose to await the result of
said inquiries.

Shewn to before me this } John T. Stevenson
12 day of October 1890

John T. Stevenson
Police Justice

Police Court, District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated 188

Magistrate.

Officer.

Witness,

Disposition,

POOR QUALITY
ORIGINAL

0248

Held without bail
to answer Complaint

Indy 2. P.M.
At 12:45 P.M.
\$1000 bail set
R.W. Casey
supdt. 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.
John S. McNamee
Police Justice.

Police Court

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John S. McNamee
vs.
Lucia Bologano

Dated

Feb 12
18*96*

Magistrate

McNamee

Officer

Witnesses

No.

Street

No.

Street

No.

Street

\$

to answer

District

Offence

fel assault
William McDonald

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 h to be discharged.

Dated 18 Police Justice.

POOR QUALITY
ORIGINAL

0249

BAILLED,
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

Richard W. Donnelly
545 E. 13th Ave

Alfred T. Bagnara

2 _____
3 _____
4 _____

Offence Assault
Fighting

Dated

Oct 27 1890

1007

Magistrate.

Stephman 15 Officer.

Witnesses _____ Precinct.

Witnesses

1000 E Oct 30 2 1/2 PM

No.

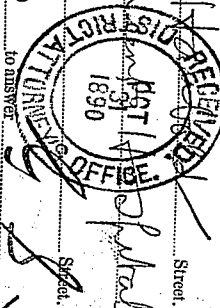
Alvin Street.

No.

1000 Street.

1000

TO ANSWER



Comm. dist.

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 1890 D. J. C. 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
Lucca Balzano

Examination, had

Nov 1

1880

Before

Daniel O'Reilly

Police Justice.

I,

W. L. Ormish

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
Lucca Balzano John Stevenson Luigi Maggio

as taken by me on the above examination before said Justice.

Dated

Nov 1

1880

W. L. Ormish

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 Mc Donaldson*
in the Peace of the said People then and there being, feloniously did make an assault
and *him* the said *Richard Mc Donaldson*
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 Mc Donaldson*
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 Mc Donaldson* in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and *him* the said

with a certain

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

POOR QUALITY
ORIGINAL

0254

Counsel,

Filed

Pleads

1891

THE PEOPLE

vs.

John J. Barnett

John J. Barnett
Peter Walsh

JOHN R. FELLOWS,

District Attorney.

A True Bill Set for trial June 10.

Wm. J. Maguire

Dec 21 1891

Wm. J. Maguire

Wm. J. Maguire

Witnesses:

Banker and Co.

D. S. Sigs

on another case

Police Court— 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, 7th 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 8th 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 \$16.⁵⁰/₁₀₀

the property of Patrick 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

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

Wherefore now
Deponent 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 9th day of Nov 1880 }
John E. Becke
Mayor New York

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 1880
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1880
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1880
Police Justice.

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
vs.	
Offence—BURGLARY.	
1	
2	
3	
4	
Dated	1880
Magistrate.	
Officer.	
Clerk.	
Witness,	
No.	Street,
No.	Street,
No.	Street,
No.	to answer General Sessions.

POOR QUALITY
ORIGINAL

0257

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 30 years, occupation

Patrick Burke
Policeman of No. 10
Seventh Avenue, New York

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

day of Nov 1887

John J. Burke
Police Justice.

POOR QUALITY
ORIGINAL

0258

Sec. 198-200.

CITY AND COUNTY,
OF NEW YORK, ss.

3 District Police Court.

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

Question. What is your name?

Answer. *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 *Sept* 188*8*

188

Police Officer

POOR QUALITY
ORIGINAL

0259

Sec. 198-200

CITY AND COUNTY
OF NEW YORK, ss.

3 District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty

Peter Walsh

Taken before me this
day of

188

Police Justice.

0260

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

POOR QUALITY
ORIGINAL

0261

~~Verplancks, N. Y., Feb 1st 1891 - 1892~~

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 M. Sill

POOR QUALITY
ORIGINAL

0262

Vesplancks Feb 24th 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
Vesplancks. 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

Upon the reason
mentioned below

Witnesses:

is absent. Dist. atty
off, I am willing that
he, introduced to be
examined.

Dec 2, 1890 G.L.B.

K.D.A.

Dec. 2nd, 1890

Do People

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 no doubt. I believe I have
in the evidence. I believe I have
the record in favor of the de-
fendant.

In my opinion there was a preponder-
ance of evidence that there was
a contract relation between the
man and the defendant, and
that, on a trial, the indictment
will not be sustained.

Dec 2, 1890 John W. Behrens
Dist. Atty

Counsel,

Filed

11 day of Nov 1890

Pleas, Voluntary B.

THE PEOPLE

vs.

Robert Behrens

JOHN R. FELLOWS,

Dist. Attorney.

Nov 25, 1890

A True Bill

Part 2 - Dec. 2, 1890

On motion of the District
Attorney, indictment returned.

To be tried at Part 2
Dec 2, 1890

(Sections 528 and 530 of the Penal Code)
(MISAPPROPRIATION)
Grand Larceny, first degree

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 Gildersleeve 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. Rudy

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 }

J. J. Court of Honor

The People

Plaintiff

against

Robert Debreuf

Defendant

Deuf

PERO M. LAUGHIN,

No 280 BROADWAY, New York 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 2nd 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 con-
tract relation between Freeman and
the defendant and that on a trial
the indictment will not be sustained.

John W. S. W.
Asst Dist. Atty

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

The People vs
Salomon J Sachs

^v
Robert Behrenfuchs

Examination Before Justice Hoffman

Oct 29 1890

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

Salomon J Sachs, 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
Worster 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 532 skins which we delivered to him to make up into 130 bales.

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, ^{not} 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 that 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 conversation took place between Beckenfruch and Freedman at the time when these skins were spoken of before they were delivered if you were 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 27th of September.

2 What day of the week?

5 A Saturday.

2 With reference to these goods:

1 Yes.

2 Where?

1 at 76 Wooster St on the second floor

2 What place?

1 In the office

2 Did you count these skins before they were delivered?

1 Several of them did.

2 Did you?

1 No sir

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

1 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 case. He said there was 432 skins

2 You personally heard that?

1 Yes

2 How much do you say the skins were worth that

day?

A \$ 1.50

Q That is 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
What happened?

A I went back and explained
the thing to the Freedman. Then
I called Monday morning -
Monday 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?

A Yes 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 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 Coats. He was to
receive \$239.20

Q You gave him these furs
to make up?

A To make up into coats

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. Bakrenfuchs. 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 coats nor furs?

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 written later

12 And after this suit 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 Royer was there?

A Yes Sir.

Q And what passed between
Behrenfuch and Royer 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 mean that Mr. Harris was not there?

A No sir,

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

A No sir

Q Have you your books here?

A Yes sir

" Two Books produced

Q And there is no entry of any transaction between you and Mr. Behrenfuchs 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. Behrenfuchs 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

2 You do not know what these goods were worth at the market value

1 Certainly I do know

2 This (skin shown) is the quality of goods that you had and delivered;

1 I do not think so.

2 They were black Astrakans

1 Yes; but a different kind altogether

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

1 I do not know anything about that.

2 You do not know anything about this skin.

1 I do not consider that that is my skin

2 Will you swear that this is not?

1 I should not swear

2 You cannot tell?

17 1 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 skins 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
apes?

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 ^{she} 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 where this conversation took place with reference to giving these goods to the Behnfruchs?

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 give 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 wanted
lose money. So I made
a bargain. I was in a
great hurry to have them.

Sworn to before me this 29th day
of October 1890

Police Justice.

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

2 Are you employed by
your father?

1 I am in the office there.

2 Did you write this document?
(Paper E. A. shown)

1 Yes Sir

2 Did you make it that
Mormon memorandum?

21 A Yes Sir

Q Did you make it at that time?

A I made it on the same day as this transaction cross examined

Q Complimentary to your father? Claim these goods?

A Yes.

Q Do you remember the connection at that time?

A I remember Mr. Behrenfuch 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. Behrenfuch went away. He came back in the afternoon.

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

A He was to make them up into caps 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.

2 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
Exception

Robert Behrenfuch being
duly sworn and examined
as a witness in his own
behalf deposes and says.
I live at 195 Greene St.

2 You are attorney for Mary
Behrenfuch your wife?

A Yes

2 What is your business?

A I'm manufacturer

2 A large manufacturer of
goods on your own account?

A Yes, Sir

2 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 in 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 Sachs and Mr Freedman
here with reference to ashakans?

A Yes

Q Will you state whether that
is true?

A I have bought ashakans 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 Sachs?

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

Q Sachs was not present?

28 A He was not

2 State what the conversation was:

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

2 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.

2 He delivered the goods to you?

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

2 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 2 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.

90 Q Did Freedman say anything?

1 He did not say anything
2 You told Reyer about the
cafe?

1 Yes Sir Ashtaken cafe.

2 Did you tell him where
the skins came from?

told him the skins were
from Freedman 65 cents
and Freedman told him
the same thing

2 Freedman was present?

1 Yes Sir

2 Mr Sacks says you were
to return to the Freedman
cafe made from these
skins?

1 No Sir

2 You had sold Freedman
cafe?

1 Yes.

2 At what price?

1 at \$4.25 and \$4.50.

2 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
Mesquian 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 W: 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 - Yes (pointing) Here I bought goods from Freedman

- Here I sold goods to Freedman,
- 2 where is the entry with reference to the skins in question?
- A - Here \$ 591 skins at 65 cents. \$ 385 - "
- 2 Will you state when you bought goods prior?
- A The 20th of August
- 2 What did you buy then?
- A Eight Astorian skins 69 cents, some skins \$ 12.79
- 2 Before that
- A Before that on the 12th of August, 129 Astorian skins 55 cents, \$ 69.85
- 2 What are these others?
- A 32 Astorians, 5000 Tippet bunnings,

Pages numbered A. B. C. & D E for diff. The pages are numbered 37. 38. 39 40 and 41

35 - Cross Examined

0308

**PAGE(S) ARE
MISSING**

**DOCUMENTS
FILMED AS
FOUND**

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

A Yes.

Q For 65 cents each?

A Yes. I was to give him
caper 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.

Obedient 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?

Q A Yes

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

A No sir, not a cent

2 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.

2 For yourself?

A Well; all the same -

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

A Yes.

2 What?

A 2 dozen cakes \$6.00

2 Did he pay you?

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

44 2 How much did Mr Freedman

owe you for goods purchased
from you.

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

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

1 \$144

2 Did you have a bill
for anything?

1 Never.

2 You never gave him a
bill?

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

Sworn to before me this 29 day
of October 1896

Police Justice

Abraham R. Rogers being duly
sworn and examined as a witness
for defendant depone and
say: I live at 316 East
42 49th St. I sell goods on

commission for Furriers

2 Did you ever sell goods for
Behrenfuch?

A Yes I do

2 Do you know Friedman?

A Yes I do.

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

A Yes

2 What was said by him?

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

2 Mr. Freedman was present.

A Yes sir.

2 That is all you know of
the transaction?

A That is all.

Sworn to before me this 23 day
of October 1890

Police Justice.

Benjamin Freedman recalled.

2 Did you buy from him a
dozen milk cans?

A Yes.

2 On the same day that
these goods were delivered?

A No sir.

2 On the same day that
these goods were delivered?

A No sir.

2 About that time that these
skins were delivered to the
Behrenbach did you get
from Behrenbach some milk
cans?

A No sir: I only bought one
dozen. I was to pay him

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 depose and
say: 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 Friedman 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. Friedman - 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 That 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 Bakerpicks at 65 cents apiece?

A Yes.

46 Cover examined

2. where do you live:

A - 191 ~~Edgewood~~ Greene St.

Q who told you to have a
conneration 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

skin, 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 I was subpoenaed.

Q Did you get 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 this transaction between Freedman and Beckenbach?

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

By the Court

Q - after you had had this conversation with Mr. Friedman did you tell this conversation to anybody; to whom?

A - There were a gentleman & a woman who were present.

Q - whom did you tell?

A - I tell Mr. Bahenpuck,

Q - The defendant?

A - Defendant's wife

Q - where did you tell her?

A - I went up stairs and told her.

Q - You told Mr. Bahenpuck, what Mr. Friedman had said

A - Yes Sir

Re-direct

Q - Did you go and see Friedman?

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. Behrenfuch tell
you to go?

A No Sir

Sworn to before me this 29 day
October 1990

Police Justice.

Solomon 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. Behrenfuch?

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.

2 At the time that these skins were delivered did you see Sachs there?

A No sir.

2 You are sure that Sachs was not there?

A Yes.

By the Court

2 You are quite sure you did not see him?

A I only saw the Freedman

Sworn to before me this 29 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 27 North St. I am in business for myself.

2 Do you know the Bohlenfuchs

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 1936

Notary Public
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?

37 A Yes Sir

Q Were you at any time present when a conversation took place between Behrenspuch 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 Behrenspuch and told him he came up to get a few of the cofer. as he wanted them for his customers.

Q What did Behrenspuch 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 Behrenspuch that he should like to have some of those cofer. Behrenspuch 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 the

Freedman with reference to
these skins

1. I was not present when
Mr. Freedman was there
2. What do you know about
this case?

A. Previous to the arrest I
came around and saw the
skins and Mr. Behrnschlag
said —

2. Was Mr. Freedman there?

A. He was not there

2. Did you have any commu-
nication with Behrnschlag
when Freedman was there?

A. No sir

Sworn to before me this 27 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. Behrnschlag 2 1/2 years

2 Do you know whether
Mr. Behrenfuch takes work
from other manufacturers
to make up a door to
make up work for other
people?

Objected to

Objection sustained

POOR QUALITY
ORIGINAL

0328

Work given out to Berenfus. Sept. 27 to 1898.
332 Astrakhan skins to make 130 capes, labor includ-
ing satin should amount to \$239.20

Reple 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. Gorman a Police Justice
of the City of New York charging Robert Behneufels Defendant with
the offence of Larceny

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 Behneufels Defendant of No. 195

Greene Street; by occupation a Agent

and Morris Dempsey of No. 173 East Broadway

Street, by occupation a Real Estate Surety, hereby jointly and severally undertake

that the above named Robert Behneufels 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

R. Buerger

Morris Dempsey

John J. Gorman
POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0330

CITY AND COUNTY } ss.
OF NEW YORK, }

Sworn to before me, this
28th
day of
Sept
1881
at New York City
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 incumbrances

Morris Dempsey

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

vs.

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 Wester Street, aged 25 years,
occupation Book Keeper

deposes and says, that on the 27 day of September 1886 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
60/100 Dollars.
\$691.60

the property of Agents Employed Benjamin
Frederick 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 defendant to be
made up by him to Capes.

Defendant delivered the said property
from said defendant, and he
refuses to deliver the same, and
has concealed the same.

Defendant charges that said defendant
does unlawfully retain said
property and is depriving the
true owner of the use and
benefits thereof.

Solomon J. Sachs

Sworn to before me, this
day of October 1886

Solomon J. Sachs
Police Justice.

POOR QUALITY
ORIGINAL

0332

Sec. 198-200.

District Police Court

CITY AND COUNTY OF NEW YORK, ss.

Robert Behrenfuhs 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 Behrenfuhs

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. Behrenfuhs.

Taken before me this
day of *March*

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 Waver Street, that on the 27 day of September
1886 at the City of New York, in the County of New York, the following article, to wit:

one hundred thirty-two Mins

of the value of six hundred & 94 64/100 Dollars,

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

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

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

Dated at the City of New York, this 6 day of October 1886
John Korman POLICE JUSTICE.

0334

Police Justice

225000 mil for E
 did 11th 9³⁰ AM
 " 21. 2 PM
 " 23 12 PM
 " 24 2 PM

No. 1, by Henry James

Residence 110 E. 1st Street

No. 2, by

Residence.....

No. 3, by

Residence Street

No. 4, by

Residence

130
Police Court
District
1666

ON THE COMPLAINT OF

23

23.
Arthur Macgregor

Offence

Dated: 27/11/2024

Magistrato

RECEIVED

.....Precinct.

.....

SYNOPSIS

1

Street.

AL
9
FBI

ST. LOUIS, MO. DIRECTOR

.....

Malley



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

Dated Dec. 24th 1890 [Signature] Police Justice.

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

Dated Oct 24 1897 [Signature] 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

0335

DISTRICT POLICE COURT.

THE PEOPLE,
ON COMPLAINT OF

Abraham J. Bach

Examination had

Oct 27

1886

Robert Behrens

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 27

1886

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 Schmiedel

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

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

The said *Robert Schmiedel*,

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

Benjamin Friedman,

agent and trustee
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 thirty*

two ~~athabaskan~~ skins of the value of

one dollar and twenty five cents each,

the said *Robert Schmiedel*, 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

Witnesses;

6 SEP
for Pleading clerk

Counsel,
Filed *9* day of *Nov*. 189*0*
Pleads, *Aggully* 17

THE PEOPLE
vs.
Matilda Berthe
KEEPING A HOUSE OF IL 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 Dec. 189*0*...189*2*.
A True Bill.
J. J. Jurgens
Foreman.

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
of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND
(Sec. 242, Penal Code.) 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

0342

Levi Burdette
Att. for
W. W. North

POOR QUALITY
ORIGINAL

0343

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 Binstedfeld

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

indictment, accuse *Louis Binstedfeld*

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

The said *Louis Binstedfeld*,

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

Two and one-half per centum, by weight, of absolute acetic acid, against the form of the statute 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 Bickelhoff 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 Bickelhoff, afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully pass for sale, and offer for sale to diverse persons to the Grand Jury aforesaid unknown, a quantity to wit: Ten gallons of 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 full evaporation over boiling water; against the form of the statute 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 Bickelhoff of the crime of passing and offering for sale, vinegar and product in imitation and semblance of cider vinegar, which

POOR QUALITY
ORIGINAL

0345

was not cider vinegar, committed as follows: The said Louis Bickelfeld, afterwards, 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 Grand Jury 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 Kent: And the Grand Jury aforesaid, by this indictment further accuse the said Louis Bickelfeld 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 Louis Bickelfeld, afterwards, 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 Grand Jury 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. Helms,
District Attorney

0346

BOX:

416

FOLDER:

3844

DESCRIPTION:

Boyd, Thomas

DATE:

11/12/90



3844

POOR QUALITY
ORIGINAL

0347

Counsel,
Filed *12* day of *Nov* 18*90*
Pleads,

Grand Larceny, and degree
(Sections 528 and 587 of the Penal Code).

THE PEOPLE

vs.

Thomas Boyd

JOHN R. FELLOWS,

District Attorney.

A True Bill.

J. H. [Signature]
Foreman.

Nov 12/90

Charles J. [Signature]

E. B. [Signature]

Witnesses :

POOR QUALITY
ORIGINAL

0348

Police Court—

2 District.

Affidavit—Larceny.

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

of No.

10-3 Greene
Furs

Street, aged 24 years,

occupation.

being duly sworn

deposes and says, that on the 27 day of October 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:

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

\$30.00

the property of

deponent.

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

Thomas Boyd (Grover)
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 of
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

Shore before me this
1887
Police Justice.

larceny of said money when he the
defendant did of his own free will
and ^{to defendant} ~~for defendant~~ the ~~defendant~~ ^{defendant} 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 pray that
he may be held and dealt with
as the law directs

Sown before me
This 7th day of Nov 1890

Harry Marx

J. J. Smith
Police Justice

POOR QUALITY
ORIGINAL

0350

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation Detach'd 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 _____

day of Nov 1897

Chas. H. [Signature]
Police Justice.

POOR QUALITY
ORIGINAL

0351

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this
day of *Sept* 188*8*

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. 1644

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary Marshall
153 St. Avenue

1. Edward Boyd

2. _____
3. _____
4. _____

Offence Larceny
felony

Date Nov 7 1890

Magistrate

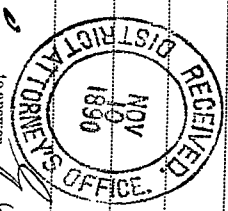
Shubert Smith
Officer

Witnesses

No. _____
Street _____

No. _____
Street _____

No. 1000
Street _____



Alvin
by _____

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 Shubert Smith 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

of the CRIME OF *Thomas Boyd* *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-ninth*, 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

1890

Foreman.

Part III November 26/90

Pol. d. Pelt. tricen

28

038-2mm

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 book attached
representing the aforesaid property
to Detective Sergeant Lanthier
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.

aged 36 years, occupation Silversmith 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

day of Nov 1887

George W. Lantieri

D. J. C. Smith
Police Justice.

POOR QUALITY
ORIGINAL

0358

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

2
District Police Court.

Francis Brady

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

Question. What is your name?

Answer.

Francis Brady

Question. How old are you?

Answer.

50 years

Question. Where were you born?

Answer.

N. S.

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

Answer.

168 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
day of **NOVEMBER,**
188

Paul M. H. [Signature]
Police Justice.

POOR QUALITY
ORIGINAL

0359

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. 1901
THE PEOPLE, &c.,
ON THE COMPLAINT OF
James A. O'Brien
111 Broadway
Francis Brady
Offence Larceny
Dated NOVEMBER 12 1900
David O'Reilly Magistrate
Geo. M. Hamilton Officer
Witnesses George M. Hamilton
Federal Officer
No. _____
Street _____
No. _____
Street _____
No. 1500 to answer
\$1500
COMMITTED
J. B. W.

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

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

Dated NOVEMBER 12 1889, David O'Reilly Police Justice.

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

Dated NOVEMBER 1888 _____ 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.

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.*